Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further?
Locke	District Court for the Eastern District of Washington	U.S. Dist. LEXIS 22212	1, 2000	felons who were also racial minorities, sued defendants for alleged violations of the Voting Rights Act. The parties filed cross--motions for summary judgment.	felon disenfranchisement and restoration of civil rights schemes, premised upon Wash. Const. art. VI § 3, resulted in the denial of the right to vote to racial minorities in violation of the VRA. They argued that race bias in, or the discriminatory effect of, the criminal justice system resulted in a disproportionate number of racial minorities being disenfranchised following felony convictions. The court concluded that Washington's felon disenfranchisement provision disenfranchised a disproportionate number of minorities; as a result, minorities were under--represented in Washington's political process. The Rooker--Feldman doctrine barred the felons from bringing any as--applied challenges, and even if it did not bar such claims, there was no evidence that the felons' individual convictions were born of discrimination in the criminal justice system. However, the felons' facial challenge also failed. The remedy they sought would create a new constitutional problem, allowing disenfranchisement only of white felons. Further, the felons did not establish a causal connection between			

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					the disenfranchisement provision and the prohibited result. The court granted defendants' motion and denied the felons' motion for summary judgment.			
Johnson v. Bush	United States District Court for the Southern District of Florida	214 F. Supp. 2d 1333; 2002 U.S. Dist. LEXIS 14782	July 18, 2002	Plaintiff felons sued defendant state officials for alleged violations of their constitutional rights. The officials moved and the felons cross-moved for summary judgment.	The felons had all successfully completed their terms of incarceration and/or probation, but their civil rights to register and vote had not been restored. They alleged that Florida's disenfranchisement law violated their rights under First, Fourteenth, Fifteenth, and Twenty--Fourth Amendments to the United States Constitution, as well as § 1983 and §§ 2 and 10 of the Voting Rights Act of 1965. Each of the felons' claims was fatally flawed. The felons' exclusion from voting did not violate the Equal Protection or Due Process Clauses of the United States Constitution. The First Amendment did not guarantee felons the right to vote. Although there was evidence that racial animus was a factor in the initial enactment of Florida's disenfranchisement law, there was no evidence that race played a part in the re--enactment of that provision. Although it appeared that there was a disparate impact on minorities, the	No	N/A	No

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					cause was racially neutral. Finally, requiring the felons to pay their victim restitution before their rights would be restored did not constitute an improper poll tax or wealth qualification. The court granted the officials' motion for summary judgment and implicitly denied the felons' motion. Thus, the court dismissed the lawsuit with prejudice.			
King v. City of Boston	United States District Court for the District of Massachusetts	2004 U.S. Dist. LEXIS 8421	May 13, 2004	Plaintiff inmate filed a motion for summary judgment in his action challenging the constitutionality of Mass. Gen. Laws ch. 51, § 1, which excluded incarcerated felons from voting while they were imprisoned.	The inmate was convicted of a felony and incarcerated. His application for an absentee ballot was denied on the ground that he was not qualified to register and vote under Mass. Gen. Laws ch. 51, § 1. The inmate argued that the statute was unconstitutional as it applied to him because it amounted to additional punishment for crimes he committed before the statute's enactment and thus violated his due process rights and the prohibition against ex post facto laws and bills of attainder. The court held that the statute was regulatory and not punitive because rational choices were implicated in the statute's disenfranchisement of persons under guardianship, persons disqualified	No	N/A	No

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					because of corrupt elections practices, persons under 18 years of age, as well as incarcerated felons. Specifically, incarcerated felons were disqualified during the period of their imprisonment when it would be difficult to identify their address and ensure the accuracy of their ballots. Therefore, the court concluded that Mass. Gen. Laws ch. 51, § 1 did not violate the inmate's constitutional rights. The court found the statute at issue to be constitutional and denied the inmate's motion for summary judgment.			
Hayden v. Pataki	United States District Court for the Southern District of New York	2004 U.S. Dist. LEXIS 10863	June 14, 2004	In a 42 U.S.C.S. § 1983 action filed by plaintiffs, black and latino convicted felons, alleging that N.Y. Const. art. II, § 3 and N.Y. Elec. Law § 5--106(2) were unconstitutional, defendants, New York's governor and the chairperson of the board of elections, moved for	The felons sued defendants, alleging that N.Y. Const. art. II, § 3 and N.Y. Elec. Law § 5--106(2) unlawfully denied suffrage to incarcerated and paroled felons on account of their race. The court granted defendants' motion for judgment on the pleadings on the felons' claims under U.S. Const. amend. XIV, XV because their factual allegations were insufficient from which to draw an inference that the challenged provisions or their predecessors were enacted with discriminatory intent, and because denying suffrage to those who received	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				judgment on the pleadings under Fed. R. Civ. P. 12(c).	more severe punishments, such as a term of incarceration, and not to those who received a lesser punishment, such as probation, was not arbitrary. The felons' claims under 42 U.S.C.S. § 1973 were dismissed because § 1973 could not be used to challenge the legality of N.Y. Elec. Law § 5--106. Defendants' motion was granted as to the felons' claims under 42 U.S.C.S. § 1971 because § 1971 did not provide for a private right of action, and because the felons were not "otherwise qualified to vote." The court also granted defendants' motion on the felons' U.S. Const. amend. I claim because it did not guarantee a felon the right to vote. Defendants' motion for judgment on the pleadings was granted in the felons' § 1983 action.			
Farrakhan v. Washington	United States Court for Appeals for the Ninth Circuit	338 F.3d 1009; 2003 U.S. App. LEXIS 14810	July 25, 2003	Plaintiff inmates sued defendant state officials, claiming that Washington state's felon disenfranchisement scheme constitutes improper race--based vote denial in	Upon conviction of infamous crimes in the state, (that is, crimes punishable by death or imprisonment in a state correctional facility), the inmates were disenfranchised. The inmates claimed that the disenfranchisement scheme violated § 2 because the criminal justice system was biased against minorities, causing a disproportionate	No	N/A	No

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				violation of § 2 of the Voting Rights Act. The United States District Court for the Eastern District of Washington granted of summary judgment dismissing the inmates' claims. The inmates appealed.	minority representation among those being disenfranchised. The appellate court held, inter alia, that the district court erred in failing to consider evidence of racial bias in the state's criminal justice system in determining whether the state's felon disenfranchisement laws resulted in denial of the right to vote on account of race. Instead of applying its novel "by itself" causation standard, the district court should have applied a totality of the circumstances test that included analysis of the inmates' compelling evidence of racial bias in Washington's criminal justice system. However, the inmates lacked standing to challenge the restoration scheme because they presented no evidence of their eligibility, much less even allege that they were eligible for restoration, and had not attempted to have their civil rights restored. The court affirmed as to the eligibility claim but reversed and remanded for further proceedings to the bias in the criminal justice system claim.			
In re Phillips	Supreme Court of Virginia	265 Va. 81; 574	January 10, 2003	The circuit court, entered a judgment	More than five years earlier, the former felon was convicted of the felony of	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
		S.E.2d 270; 2003 Va. LEXIS 10		in which it declined to consider petitioner former felon's petition for approval of her request to seek restoration of her eligibility to register to vote. The former felon appealed.	making a false written statement incident to a firearm purchase. She then petitioned the trial court asking it to approve her request to seek restoration of her eligibility to register to vote. Her request was based on Va. Code Ann. § 53.1--231.2, allowing persons convicted of non--violent felonies to petition a trial court for approval of a request to seek restoration of voting rights. The trial court declined. It found that Va. Code Ann. § 53.1--231.2 violated constitutional separation of powers principles since it gave the trial court powers belonging to the governor. It also found that even if the statute was constitutional, it was fundamentally flawed for not providing notice to respondent Commonwealth regarding a petition. After the petition was denied, the state supreme court found the separation of powers principles were not violated since the statute only allowed the trial court to determine if an applicant met the requirements to have voting eligibility restored. It also found the statute was not fundamentally flawed since the Commonwealth was not an interested			

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					party entitled to notice. OUTCOME: The judgment was reversed and the case was remanded for further proceedings.			
Howard v. Gilmore	United States Court of Appeals for the Fourth Circuit	2000 U.S. App. LEXIS 2680	February 23, 2000	Appellant challenged the United States District Court for the Eastern District of Virginia's order summarily dismissing his complaint, related to his inability to vote as a convicted felon, for failure to state a claim upon which relief can be granted.	Appellant was disenfranchised by the Commonwealth of Virginia following his felony conviction. He challenged that decision by suing the Commonwealth under the U.S. Const. amends. I, XIV, XV, XIX, and XXIV, and under the Voting Rights Act of 1965. The lower court summarily dismissed his complaint under Fed. R. Civ. P. 12(b)(6) for failure to state a claim. Appellant challenged. The court found U.S. Const. amend. I created no private right of action for seeking reinstatement of previously canceled voting rights, U.S. Const. amends. XIV, XV, XIX, and the VRA required either gender or race discrimination, neither of which appellant asserted, and the U.S. Const. amend. XXIV, while prohibiting the imposition of poll taxes, did not prohibit the imposition of a $10 fee for reinstatement of appellant's civil rights, including the right to vote. Consequently, appellant failed to state a claim. The court affirmed, finding	No	N/A	No

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					that none of the constitutional provisions appellant relied on were properly pled because appellant failed to assert that either his race or gender were involved in the decisions to deny him the vote. Conditioning reestablishment of his civil rights on a $10 fee was not unconstitutional.			
Johnson v. Governor of Fla.	United States Court of Appeals for the Eleventh Circuit	353 F.3d 1287; 2003 U.S. App. LEXIS 25859	December 19, 2003	Plaintiffs, ex--felon citizens of Florida, on their own right and on behalf of others, sought review of a decision of the United States District Court for the Southern District of Florida, which granted summary judgment to defendants, members of the Florida Clemency Board in their official capacity. The citizens challenged the validity of the Florida felon disenfranchisement	The citizens alleged that Fla. Const. art. VI, § 4 (1968) was racially discriminatory and violated their constitutional rights. The citizens also alleged violations of the Voting Rights Act. The court initially examined the history of Fla. Const. art. VI, § 4 (1968) and determined that the citizens had presented evidence that historically the disenfranchisement provisions were motivated by a discriminatory animus. The citizens had met their initial burden of showing that race was a substantial motivating factor. The state was then required to show that the current disenfranchisement provisions would have been enacted absent the impermissible discriminatory intent. Because the state had not met its burden, summary judgment should not have been granted. The court found	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further?
				laws.	that the claim under the Voting Rights Act, also needed to be remanded for further proceedings. Under a totality of the circumstances, the district court needed to analyze whether intentional racial discrimination was behind the Florida disenfranchisement provisions, in violation of the Voting Rights Act. The court affirmed the district court's decision to grant summary judgment on the citizens' poll tax claim. The court reversed the district court's decision to grant summary judgment to the Board on the claims under the equal protection clause and for violation of federal voting laws and remanded the matter to the district court for further proceedings.			
State v. Black	Court of Appeals of Tennessee	2002 Tenn. App. LEXIS 696	September 26, 2002	In 1997, petitioner was convicted of forgery and sentenced to the penitentiary for two years, but was immediately placed on probation. He subsequently petitioned the circuit court for restoration	The appellate court's original opinion found that petitioner had not lost his right to hold public office because Tennessee law removed that right only from convicted felons who were "sentenced to the penitentiary." The trial court's amended judgment made it clear that petitioner was in fact sentenced to the penitentiary. Based upon this correction to the record, the appellate court found that petitioner's	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				of citizenship. The trial court restored his citizenship rights. The State appealed. The appellate court issued its opinion, but granted the State's motions to supplement the record and to rehear its decision.	sentence to the penitentiary resulted in the forfeiture of his right to seek and hold public office by operation of Tenn. Code Ann. § 40-20--114. However, the appellate court concluded that this new information did not requires a different outcome on the merits of the issue of restoration of his citizenship rights, including the right to seek and hold public office. The appellate court adhered to its conclusion that the statutory presumption in favor of the restoration was not overcome by a showing, by a preponderance of the evidence, of good cause to deny the petition for restoration of citizenship rights. The appellate court affirmed the restoration of petitioner's right to vote and reversed the denial of his right to seek and hold public office. His full rights of citizenship were restored.			
Johnson v. Governor of Fla.	United States Court of Appeals for the Eleventh Circuit	405 F.3d 1214; 2005 U.S. App. LEXIS 5945	April 12, 2005	Plaintiff individuals sued defendant members of Florida Clemency Board, arguing that Florida's felon disenfranchisement	The individuals argued that the racial animus motivating the adoption of Florida's disenfranchisement laws in 1868 remained legally operative despite the reenactment of Fla. Const. art. VI, § 4 in 1968. The subsequent reenactment eliminated any	No	N/A	No

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				law, Fla. Const. art. VI, § 4 (1968), violated the Equal Protection Clause and 42 U.S.C.S. § 1973. The United States District Court for the Southern District of Florida granted the members summary judgment. A divided appellate panel reversed. The panel opinion was vacated and a rehearing en banc was granted.	discriminatory taint from the law as originally enacted because the provision narrowed the class of disenfranchised individuals and was amended through a deliberative process. Moreover, there was no allegation of racial discrimination at the time of the reenactment. Thus, the disenfranchisement provision was not a violation of the Equal Protection Clause and the district court properly granted the members summary judgment on that claim. The argument that 42 U.S.C.S. § 1973 applied to Florida's disenfranchisement provision was rejected because it raised grave constitutional concerns, i.e., prohibiting a practice that the Fourteenth Amendment permitted the state to maintain. In addition, the legislative history indicated that Congress never intended the Voting Rights Act to reach felon disenfranchisement provisions. Thus, the district court properly granted the members summary judgment on the Voting Rights Act claim. The motion for summary judgment in favor of the members was granted.			

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Hileman v. McGinness	Appellate Court of Illinois, Fifth District	316 Ill. App. 3d 868; 739 N.E.2d 81; 2000 Ill. App. LEXIS 845	October 25, 2000	Appellant challenged the circuit court's declaration that that the result of a primary election for county circuit clerk was void.	In a primary election for county circuit clerk, the parties agreed that 681 absentee ballots were presumed invalid. The ballots had been commingled with the valid ballots. There were no markings or indications on the ballots which would have allowed them to be segregated from other ballots cast. Because the ballots could not have been segregated, apportionment was the appropriate remedy if no fraud was involved. If fraud was involved, the election would have had to have been voided and a new election held. Because the trial court did not hold an evidentiary hearing on the fraud allegations, and did not determine whether fraud was in issue, the case was remanded for a determination as to whether fraud was evident in the electoral process. Judgment reversed and remanded.	No	N/A	No
Eason v. State	Court of Appeals of Mississippi	2005 Miss. App. LEXIS 1017	December 13, 2005	Defendant appealed a decision of the circuit court convicting him of one count of conspiracy to commit voter fraud	Defendant was helping with his cousin's campaign in a run--off election for county supervisor. Together, they drove around town, picking up various people who were either at congregating spots or their homes. Defendant would drive the	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				and eight counts of voter fraud.	voters to the clerk's office where they would vote by absentee ballot and defendant would give them beer or money. Defendant claimed he was entitled to a mistrial because the prosecutor advanced an impermissible "sending the message" argument. The court held that it was precluded from reviewing the entire context in which the argument arose because, while the prosecutor's closing argument was in the record, the defense counsel's closing argument was not. Also, because the prosecutor's statement was incomplete due to defense counsel's objection, the court could not say that the statement made it impossible for defendant to receive a fair trial. Judgment affirmed.			
Wilson v. Commonwealth	Court of Appeals of Virginia	2000 Va. App. LEXIS 322	May 2, 2000	Defendant appealed the judgment of the circuit court which convicted her of election fraud.	At trial, the Commonwealth introduced substantial testimony and documentary evidence that defendant had continued to live at one residence in the 13th District, long after she stated on the voter registration form that she was living at a residence in the 51st House District. The evidence included records showing electricity and water usage, records from the Department of Motor	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
					Vehicles and school records. Thus, the evidence was sufficient to support the jury's verdict that defendant made "a false material statement" on the voter registration card required to be filed in order for her to be a candidate for office in the primary in question. Judgment affirmed.			
Townson v. Stonicher	Supreme Court of Alabama	2005 Ala. LEXIS 214	December 9, 2005	The circuit court overturned the results of a mayoral election after reviewing the absentee ballots cast for said election, resulting in a loss for appellant incumbent based on the votes received from appellee voters. The incumbent appealed, and the voters cross--appealed. In the meantime, the trial court stayed enforcement of its judgment pending resolution of the appeal.	The voters and the incumbent all challenged the judgment entered by the trial court arguing that it impermissibly included or excluded certain votes. The appeals court agreed with the voters that the trial court should have excluded the votes of those voters for the incumbent who included an improper form of identification with their absentee ballots. It was undisputed that at least 30 absentee voters who voted for the incumbent provided with their absentee ballots a form of identification that was not proper under Alabama law. As a result, the court further agreed that the trial court erred in allowing those voters to somewhat "cure" that defect by providing a proper form of identification at the trial of the election contest, because, under those	No	N/A	No

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					circumstances, it was difficult to conclude that those voters made an honest effort to comply with the law. Moreover, to count the votes of voters who failed to comply with the essential requirement of submitting proper identification with their absentee ballots had the effect of disenfranchising qualified electors who choose not to vote but rather than to make the effort to comply with the absentee--voting requirements. The judgment declaring the incumbent's opponent the winner was affirmed. The judgment counting the challenged votes in the final tally of votes was reversed, and said votes were subtracted from the incumbents total, and the stay was vacated. All other arguments were rendered moot as a result.			
ACLU of Minn. v. Kiffmeyer	United States District Court for the District of Minnesota	2004 U.S. Dist. LEXIS 22996	October 29, 2004	Plaintiffs, voters and associations, filed for a temporary restraining order pursuant to Fed. R. Civ. P. 65, against defendant, Minnesota Secretary	Plaintiffs argued that Minn. Stat. § 201.061 was inconsistent with the Help America Vote Act because it did not authorize the voter to complete registration either by a "current and valid photo identification" or by use of a current utility bill, bank statement, government check, paycheck, or other	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				of State, concerning voter registration.	government document that showed the name and address of the individual. The Secretary advised the court that there were less than 600 voters who attempted to register by mail but whose registrations were deemed incomplete. The court found that plaintiffs demonstrated that they were likely to succeed on their claim that the authorization in Minn. Stat. § 201.061, sub. 3, violated the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution insofar as it did not also authorize the use of a photographic tribal identification card by American Indians who do not reside on their tribal reservations. Also, the court found that plaintiffs demonstrated that they were likely to succeed on their claims that Minn. R. 8200.5100, violated the Equal Protection Clause of the United States Constitution. A temporary restraining order was entered.			
League of Women Voters v. Blackwell	United States District Court for the Northern District of Ohio	340 F. Supp. 2d 823; 2004	October 20, 2004	Plaintiff organizations filed suit against defendant, Ohio's	The directive in question instructed election officials to issue provisional ballots to first--time voters who registered by mail but did not provide	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
		U.S. Dist. LEXIS 20926		Secretary of State, claiming that a directive issued by the Secretary contravened the provisions of the Help America Vote Act. The Secretary filed a motion to dismiss.	documentary identification at the polling place on election day. When submitting a provisional ballot, a first--time voter could identify himself by providing his driver's license number or the last four digits of his social security number. If he did not know either number, he could provide it before the polls closed. If he did not do so, his provisional ballot would not be counted. The court held that the directive did not contravene the HAVA and otherwise established reasonable requirements for confirming the identity of first--time voters who registered to vote by mail because: (1) the identification procedures were an important bulwark against voter misconduct and fraud; (2) the burden imposed on first--time voters to confirm their identity, and thus show that they were voting legitimately, was slight; and (3) the number of voters unable to meet the burden of proving their identity was likely to be very small. Thus, the balance of interests favored the directive, even if the cost, in terms of uncounted ballots, was regrettable. The court granted the Secretary's motion to dismiss.			

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New York v. County of Del.	United States District Court for the Northern District of New York	82 F. Supp. 2d 12; 2000 U.S. Dist. LEXIS 1398	February 8, 2000	Plaintiffs brought a claim in the district court under the Americans With Disabilities Act and filed a motion for a preliminary injunction and motion for leave to amend their complaint, and defendants were ordered to show cause why a preliminary injunction should not be issued.	In their complaint plaintiffs alleged that defendants violated the ADA by making the voting locations inaccessible to disabled persons and asked for a preliminary injunction requiring defendants to come into compliance before the next election. The court found that defendants were the correct parties, because pursuant to New York election law defendants were responsible for the voting locations. The court further found that the class plaintiffs represented would suffer irreparable harm if they were not able to vote, because, if the voting locations were inaccessible, disabled persons would be denied the right to vote. Also, due to the alleged facts, the court found plaintiffs would likely succeed on the merits. Consequently, the court granted plaintiffs' motion for a preliminary injunction. The court granted plaintiffs' motion for a preliminary injunction and granted plaintiffs' motion for leave to amend their complaint.	No	N/A	No
New York v. County of Schoharie	United States District Court for the Northern	82 F. Supp. 2d 19; 2000	February 8, 2000	Plaintiffs brought a claim in the district court under the	In their complaint, plaintiffs alleged defendants violated the ADA by allowing voting locations to be	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
	District of New York	U.S. Dist. LEXIS 1399		Americans With Disabilities Act and filed a motion for a preliminary injunction and a motion for leave to amend their complaint, and defendants were ordered to show cause why a preliminary injunction should not be issued.	inaccessible for disabled persons and asked for a preliminary injunction requiring defendants to come into compliance before the next election. The court found that defendants were the correct party, because pursuant to New York election law, defendants were responsible for the voting locations. The court further found that the class plaintiffs represented would suffer irreparable harm if they were not able to vote, because, if the voting locations were inaccessible, disabled persons would be denied the right to vote. Also, the court found that plaintiffs would likely succeed on the merits of their case. Consequently, the court granted plaintiffs' motion for a preliminary injunction. The court granted plaintiffs' motion for a preliminary injunction because plaintiffs showed irreparable harm and proved likely success on the merits and granted plaintiff's motion for leave to amend the complaint.			
Westchester Disabled on the Move, Inc. v. County of	United States District Court for the Southern District of New	346 F. Supp. 2d 473; 2004	October 22, 2004	Plaintiffs sued defendant county, county board of elections, and	The inability to vote at assigned locations on election day constituted irreparable harm. However, plaintiffs could not show a likelihood of success	No	N/A	No

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Westchester	York	U.S. Dist. LEXIS 24203		election officials pursuant to 42 U.S.C.S. §§ 12131--12134, N.Y. Exec. Law § 296, and N.Y. Elec. Law § 4--1--4. Plaintiffs moved for a preliminary injunction, requesting (among other things) that the court order defendants to modify the polling places in the county so that they were accessible to disabled voters on election day. Defendants moved to dismiss.	on the merits because the currently named defendants could not provide complete relief sought by plaintiffs. Although the county board of elections was empowered to select an alternative polling place should it determine that a polling place designated by a municipality was "unsuitable or unsafe," it was entirely unclear that its power to merely designate suitable polling places would be adequate to ensure that all polling places used in the upcoming election actually conformed with the Americans with Disabilities Act. Substantial changes and modifications to existing facilities would have to be made, and such changes would be difficult, if not impossible, to make without the cooperation of municipalities. Further, the court could order defendants to approve voting machines that conformed to the ADA were they to be purchased and submitted for county approval, but the court could not order them to purchase them for the voting districts in the county. A judgment issued in the absence of the municipalities would be inadequate. Plaintiffs' motion for preliminary			

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					injunction was denied, and defendants' motion to dismiss was granted.			
Nat'l Org. on Disability v. Tartaglione	United States District Court for the Eastern District of Pennsylvania	2001 U.S. Dist. LEXIS 16731	October 11, 2001	Plaintiffs, disabled voters and special interest organizations, sued defendants, city commissioners, under the Americans with Disabilities Act and § 504 of the Rehabilitation Act of 1973, and regulations under both statutes, regarding election practices. The commissioners moved to dismiss for failure (1) to state a cause of action and (2) to join an indispensable party.	The voters were visually impaired or wheelchair bound. They challenged the commissioners' failure to provide talking voting machines and wheelchair accessible voting places. They claimed discrimination in the process of voting because they were not afforded the same opportunity to participate in the voting process as non--disabled voters, and assisted voting and voting by alternative ballot were substantially different from, more burdensome than, and more intrusive than the voting process utilized by non--disabled voters. The court found that the complaint stated causes of actions under the ADA, the Rehabilitation Act, and 28 C.F.R. §§ 35.151 and 35.130. The court found that the voters and organizations had standing to raise their claims. The organizations had standing through the voters' standing or because they used significant resources challenging the commissioners' conduct. The plaintiffs failed to join the state official who would need to approve any talking	No	N/A	Yes-see if the case was refiled

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if not Note)	Other Notes	Should the Case be Researched Further
					voting machine as a party. As the court could not afford complete relief to the visually impaired voters in that party's absence, it granted the motion to dismiss under Fed. R. Civ. P. 12(b)(7) without prejudice. The court granted the commissioners' motion to dismiss in part, and denied it in part. The court granted the motion to dismiss the claims of the visually impaired voters for failure to join an indispensable party, without prejudice, and with leave to amend the complaint.			
TENNESSEE, Petitioner v. GEORGE LANE et al.	United States Supreme Court	541 U.S. 509; 124 S. Ct. 1978; 158 L. Ed. 2d 820; 2004 U.S. LEXIS 3386	May 17, 2004	Respondent paraplegics sued petitioner State of Tennessee, alleging that the State failed to provide reasonable access to court facilities in violation of Title II of the Americans with Disabilities Act of 1990. Upon the grant of a writ of certiorari, the State appealed the judgment of the	The state contended that the abrogation of state sovereign immunity in Title II of the ADA exceeded congressional authority under U.S. Const. amend XIV, § 5, to enforce substantive constitutional guarantees. The United States Supreme Court held, however, that Title II, as it applied to the class of cases implicating the fundamental right of access to the courts, constituted a valid exercise of Congress's authority. Title II was responsive to evidence of pervasive unequal treatment of persons with disabilities in the administration of state services and programs, and such disability discrimination was thus	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				United States Court of Appeals for the Sixth Circuit which denied the State's claim of sovereign immunity.	an appropriate subject for prophylactic legislation. Regardless of whether the State could be subjected to liability for failing to provide access to other facilities or services, the fundamental right of access to the courts warranted the limited requirement that the State reasonably accommodate disabled persons to provide such access. Title II was thus a reasonable prophylactic measure, reasonably targeted to a legitimate end. The judgment denying the State's claim of sovereign immunity was affirmed.			
Bell v. Marinko	United States Court of Appeals for the Sixth Circuit	367 F.3d 588; 2004 U.S. App. LEXIS 8330	April 28, 2004	Plaintiffs, registered voters, sued defendants, Ohio Board of Elections and Board members, alleging that Ohio Rev. Code Ann. §§ 3509.19--3509.21 violated the National Voter Registration Act, and the Equal Protection Clause of the Fourteenth Amendment. The United States	The voters asserted that § 3503.02---- which stated that the place where the family of a married man or woman resided was considered to be his or her place of residence----violated the equal protection clause. The court of appeals found that the Board's procedures did not contravene the National Voter Registration Act because Congress did not intend to bar the removal of names from the official list of persons who were ineligible and improperly registered to vote in the first place. The National Voter Registration Act did not bar the Board's continuing	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (If of Note)	Other Notes	Should the Case be Researched Further
				District Court for the Northern District of Ohio granted summary judgment in favor of defendants. The voters appealed.	consideration of a voter's residence, and encouraged the Board to maintain accurate and reliable voting rolls. Ohio was free to take reasonable steps to see that all applicants for registration to vote actually fulfilled the requirement of bona fide residence. Ohio Rev. Code Ann. § 3503.02(D) did not contravene the National Voter Registration Act. Because the Board did not raise an irrebuttable presumption in applying § 3502.02(D), the voters suffered no equal protection violation. The judgment was affirmed.			
Wilson v. Commonwealth	Court of Appeals of Virginia	2000 Va. App. LEXIS 322	May 2, 2000	Defendant appealed the judgment of the circuit court which convicted her of election fraud.	On appeal, defendant argued that the evidence was insufficient to support her conviction because it failed to prove that she made a willfully false statement on her voter registration form and, even if the evidence did prove that she made such a statement, it did not prove that the voter registration form was the form required by Title 24.2. At trial, the Commonwealth introduced substantial testimony and documentary evidence that defendant had continued to live at one residence in the 13th District, long after she stated on the voter	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (or of Note)	Other Notes	Should the Case be Researched Further
					registration form that she was living at a residence in the 51st House District. The evidence included records showing electricity and water usage, records from the Department of Motor Vehicles and school records. Thus, the evidence was sufficient to support the jury's verdict that defendant made "a false material statement" on the voter registration card required to be filed by Title 24.2 in order for her to be a candidate for office in the primary in question. Judgment of conviction affirmed. Evidence, including records showing electricity and water usage, records from the Department of Motor Vehicles and school records, was sufficient to support jury's verdict that defendant made "a false material statement" on the voter registration card required to be filed in order for her to be a candidate for office in the primary in question.			
ACLU of Minn. v. Kiffmeyer	United States District Court for the District of Minnesota	2004 U.S. Dist. LEXIS 22996	October 29, 2004	Plaintiffs, voters and associations, filed for a temporary restraining order pursuant to Fed. R. Civ. P. 65, against	Plaintiffs argued that Minn. Stat. § 201.061 was inconsistent with the Help America Vote Act because it did not authorize the voter to complete registration either by a "current and valid photo identification" or by use of	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if Note)	Other Notes	Should the Case be Researched Further
				defendant, Minnesota Secretary of State, concerning voter registration.	a current utility bill, bank statement, government check, paycheck, or other government document that showed the name and address of the individual. The Secretary advised the court that there were less than 600 voters who attempted to register by mail but whose registrations were deemed incomplete. The court found that plaintiffs demonstrated that they were likely to succeed on their claim that the authorization in Minn. Stat. § 201.061, sub. 3, violated the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution insofar as it did not also authorize the use of a photographic tribal identification card by American Indians who do not reside on their tribal reservations. Also, the court found that plaintiffs demonstrated that they were likely to succeed on their claims that Minn. R. 8200.5100, violated the Equal Protection Clause of the United States Constitution. A temporary restraining order was entered.			
Kalsson v. United States	United States District Court for	356 F. Supp. 2d	February 16, 2005	Defendant Federal Election	The individual claimed that his vote was diluted because the NVRA	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (If of Note)	Other Notes	Should the Case be Researched Further
FEC	the Southern District of New York	371; 2005 U.S. Dist. LEXIS 2279		Commission filed a motion to dismiss for lack of subject matter jurisdiction plaintiff individual's action, which sought a declaration that the National Voter Registration Act was unconstitutional on the theories that its enactment was not within the enumerated powers of the federal government and that it violated Article II of the United States Constitution.	resulted in more people registering to vote than otherwise would have been the case. The court held that the individual lacked standing to bring the action. Because New York was not obliged to adhere to the requirements of the NVRA, the individual did not allege any concrete harm. If New York simply adopted election day registration for elections for federal office, it would have been entirely free of the NVRA just as were five other states. Even if the individual's vote were diluted, and even if such an injury in other circumstances might have sufficed for standing, any dilution that he suffered was the result of New York's decision to maintain a voter registration system that brought it under the NVRA, not the NVRA itself. The court granted the motion to dismiss for lack of subject matter jurisdiction.			
Peace & Freedom Party v. Shelley	California Court of Appeal, Third Appellate District	114 Cal. App. 4th 1237; 8 Cal. Rptr. 3d 497; 2004 Cal.	January 15, 2004	Plaintiff political party appealed a judgment from the superior court which denied the party's petition for writ of	The trial court ruled that inactive voters were excluded from the primary election calculation. The court of appeals affirmed, observing that although the election had already taken place, the issue was likely to recur and	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further?
		App. LEXIS 42		mandate to compel defendant, the California Secretary of State, to include voters listed in the inactive file of registered voters in calculating whether the party qualified to participate in a primary election.	was a matter of continuing public interest and importance; hence, a decision on the merits was proper, although the case was technically moot. The law clearly excluded inactive voters from the calculation. The statutory scheme did not violate the inactive voters' constitutional right of association because it was reasonably designed to ensure that all parties on the ballot had a significant modicum of support from eligible voters. Information in the inactive file was unreliable and often duplicative of information in the active file. Moreover, there was no violation of the National Voter Registration Act because voters listed as inactive were not prevented from voting. Although the Act prohibited removal of voters from the official voting list absent certain conditions, inactive voters in California could correct the record and vote. Affirmed.			
McKay v. Thompson	United States Court of Appeals for the Sixth Circuit	226 F.3d 752; 2000 U.S. App.	September 18, 2000	Plaintiff challenged order of United States District Court for Eastern District of Tennessee at	The trial court had granted defendant state election officials summary judgment. The court declined to overrule defendants' administrative determination that state law required	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
		LEXIS 23387		Chattanooga, which granted defendant state election officials summary judgment on plaintiff's action seeking to stop the state practice of requiring its citizens to disclose their social security numbers as a precondition to voter registration.	plaintiff to disclose his social security number because the interpretation appeared to be reasonable, did not conflict with previous caselaw, and could be challenged in state court. The requirement did not violate the Privacy Act because it was grand fathered under the terms of the Act. The limitations in the National Voter Registration Act did not apply because the NVRA did not specifically prohibit the use of social security numbers and the Act contained a more specific provision regarding such use. Plaintiff could not enforce § 1971 as it was enforceable only by the United States Attorney General. The trial court properly rejected plaintiff's fundamental right to vote, free exercise of religion, privileges and immunities, and due process claims. Although the trial court arguably erred in denying certification of the case to the USAG under 28 U.S.C.S. § 2403(a), plaintiff suffered no harm from the technical violation. Order affirmed because requirement that voters disclose social security numbers as precondition to voter registration did not violate Privacy Act of 1974 or National Voter			

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					Registration Act and trial court properly rejected plaintiff's fundamental right to vote, free exercise of religion, privileges and immunities, and due process claims.			
Lucas County Democratic Party v. Blackwell	United States District Court for the Northern District of Ohio	341 F. Supp. 2d 861; 2004 U.S. Dist. LEXIS 21416	October 21, 2004	Plaintiff organizations brought an action challenging a memorandum issued by defendant, Ohio's Secretary of State, in December 2003. The organizations claimed that the memorandum contravened provisions of the Help America Vote Act and the National Voter Registration Act. The organizations moved for a preliminary injunction.	The case involved a box on Ohio's voter registration form that required a prospective voter who registered in person to supply an Ohio driver's license number or the last four digits of their Social Security number. In his memorandum, the Secretary informed all Ohio County Boards of Elections that, if a person left the box blank, the Boards were not to process the registration forms. The organizations did not file their suit until 18 days before the national election. The court found that there was not enough time before the election to develop the evidentiary record necessary to determine if the organizations were likely to succeed on the merits of their claim. Denying the organizations' motion would have caused them to suffer no irreparable harm. There was no appropriate remedy available to the organizations at the time. The likelihood that the organizations could	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
					have shown irreparable harm was, in any event, slight in view of the fact that they waited so long before filing suit. Moreover, it would have been entirely improper for the court to order the Boards to re--open in--person registration until election day. The public interest would have been ill--served by an injunction. The motion for a preliminary injunction was denied sua sponte.			
Nat'l Coalition for Students with Disabilities Educ. & Legal Def. Fund v. Scales	United States District Court for the District of Maryland	150 F. Supp. 2d 845; 2001 U.S. Dist. LEXIS 9528	July 5, 2001	Plaintiff, national organization for disabled students, brought an action against university president and university's director of office of disability support services to challenge the voter registration procedures established by the disability support services. Defendants moved to dismiss the first amended complaint, or in the	Defendants alleged that plaintiff lacked standing to represent its members, and that plaintiff had not satisfied the notice requirements of the National Voter Registration Act. Further, defendants maintained the facts, as alleged by plaintiff, did not give rise to a past, present, or future violation of the NVRA because (1) the plaintiff's members that requested voter registration services were not registered students at the university and (2) its current voter registration procedures complied with NVRA. As to plaintiff's § 1983 claim, the court held that while plaintiff had alleged sufficient facts to confer standing under the NVRA, such allegations	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (or Note)	Other Notes	Should the Case be Researched Further
				alternative for summary judgment.	were not sufficient to support standing on its own behalf on the § 1983 claim. As to the NVRA claim, the court found that the agency practice of only offering voter registration services at the initial intake interview and placing the burden on disabled students to obtain voter registration forms and assistance afterwards did not satisfy its statutory duties. Furthermore, most of the NVRA provisions applied to disabled applicants not registered at the university. Defendants' motion to dismiss first amended complaint was granted as to the § 1983 claimand denied as to plaintiff's claims brought under the National Voter Registration Act of 1993. Defendants' alternative motion for summary judgment was denied.			
People *v.* Disimone	Court of Appeals of Michigan	251 Mich. App. 605; 650 N.W.2d 436; 2002 Mich. App.	July 11, 2002	Defendant was charged with attempting to vote more than once in the 2000 general election. The circuit court granted defendant's motion that the State had to	Defendant was registered in the Colfax township for the 2000 general election. After presenting what appeared to be a valid voter's registration card, defendant proceeded to vote in the Grant township. Defendant had voted in the Colfax township earlier in the day. Defendant moved the court to issue an order that the State had to find	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (or of Note)	Other Notes	Should the Case be Researched Further
		LEXIS 826		prove specific intent. The State appealed.	that he had a specific intent to vote twice in order to be convicted. The appellate court reversed the circuit court judgment and held that under the rules of statutory construction, the fact that the legislature had specifically omitted certain trigger words such as "knowingly," "willingly," "purposefully," or "intentionally" it was unlikely that the legislature had intended for this to be a specific intent crime. The court also rejected the defendant's argument that phrases such as "offer to vote" and "attempt to vote" should be construed as synonymous terms, as when words with similar meanings were used in the same statute, it was presumed that the legislature intended to distinguish between the terms. The order of the circuit court was reversed.			
Diaz v. Hood	United States District Court for the Southern District of Florida	342 F. Supp. 2d 1111; 2004 U.S. Dist. LEXIS 21445	October 26, 2004	Plaintiffs, unions and individuals who had attempted to register to vote, sought a declaration of their rights to vote in the November 2, 2004 general	The putative voters sought injunctive relief requiring the election officials to register themto vote. The court first noted that the unions lacked even representative standing, because they failed to show that one of their members could have brought the case in their own behalf. The individual	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if Note)	Other Notes	Should the Case be Researched Further
				election. They alleged that defendants, state and county election officials, refused to process their voter registrations for various failures to complete the registration forms. The election officials moved to dismiss the complaint for lack of standing and failure to state a claim.	putative voters raised separate issues: the first had failed to verify her mental capacity, the second failed to check a box indicating that he was not a felon, and the third did not provide the last four digits of her social security number on the form. They claimed the election officials violated federal and state law by refusing to register eligible voters because of nonmaterial errors or omissions in their voter registration applications, and by failing to provide any notice to voter applicants whose registration applications were deemed incomplete. In the first two cases, the election official had handled the errant application properly under Florida law, and the putative voter had effectively caused their own injury by failing to complete the registration. The third completed her form and was registered, so had suffered no injury. Standing failed against the secretary of state. The motions to dismiss the complaint were granted without prejudice.			
Charles H. Wesley Educ.	United States District Court for	324 F. Supp. 2d	July 1, 2004	Plaintiffs, a voter, fraternity members,	The organization participated in numerous non--partisan voter	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any) of Note	Other Notes	Should the Case be Researched Further
Found., Inc. v. Cox	the Northern District of Georgia	1358; 2004 U.S. Dist. LEXIS 12120		and an organization, sought an injunction ordering defendant, the Georgia Secretary of State, to process the voter registration application forms that they mailed in following a voter registration drive. They contended that by refusing to process the forms defendants violated the National Voter Registration Act and U.S. Const. amends. I, XIV, and XV.	registration drives primarily designed to increase the voting strength of African--Americans. Following one such drive, the fraternity members mailed in over 60 registration forms, including one for the voter who had moved within state since the last election. The Georgia Secretary of State's office refused to process them because they were not mailed individually and neither a registrar, deputy registrar, or an otherwise authorized person had collected the applications as required under state law. The court held that plaintiffs had standing to bring the action. The court held that because the applications were received in accordance with the mandates of the NVRA, the State of Georgia was not free to reject them. The court found that: plaintiffs had a substantial likelihood of prevailing on the merits of their claim that the applications were improperly rejected; plaintiffs would be irreparably injured absent an injunction; the potential harmto defendants was outweighed by plaintiffs' injuries; and an injunction was in the public interest. Plaintiffs' motion for a preliminary injunction			

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					was granted. Defendants were ordered to process the applications received from the organization to determine whether those registrants were qualified to vote. Furthermore, defendants were enjoined from rejecting any voter registration application on the grounds that it was mailed as part of a "bundle" or that it was collected by someone not authorized or any other reason contrary to the NVRA.			
Moseley v. Price	United States District Court for the Eastern District of Virginia	300 F. Supp. 2d 389; 2004 U.S. Dist. LEXIS 850	January 22, 2004	Plaintiff alleged, that defendants' actions in investigating his voter registration application constituted a change in voting procedures requiring § 5 preclearance under the Voting Rights Act, which preclearance was never sought or received. Plaintiff claimed he withdrew from the race for Commonwealth	The court concluded that plaintiff's claim under the Voting Rights Act lacked merit. Plaintiff did not allege, as required, that any defendants implemented a new, uncleared voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting. Here, the existing practice or procedure in effect in the event a mailed registration card was returned was to "resend the voter card, if address verified as correct." This was what precisely occurred. Plaintiff inferred, however, that the existing voting rule or practice was to resend the voter card "with no adverse consequences" and that the county's	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				Attorney because of the investigation. Defendants moved to dismiss the complaint.	initiation of an investigation constituted the implementation of a change that had not been pre--cleared. The court found the inference wholly unwarranted because nothing in the written procedure invited or justified such an inference. The court opined that common sense and state law invited a different inference, namely that while a returned card had to be resent if the address was verified as correct, any allegation of fraud could be investigated. Therefore, there was no new procedure for which preclearance was required. The court dismissed plaintiff's federal claims. The court dismissed the state law claims without prejudice.			
Thompson v. Karben	Supreme Court of New York, Appellate Division, Second Department	295 A.D.2d 438; 743 N.Y.S.2d 175; 2002 N.Y. App. Div. LEXIS 6101	June 10, 2002	Respondents filed a motion seeking the cancellation of appellant's voter registration and political party enrollment on the ground that appellant was unlawfully registered to vote in	Respondents alleged that appellant was unlawfully registered to vote from an address at which he did not reside and that he should have voted from the address that he claimed as his residence. The appellate court held that respondents adduced insufficient proof to support the conclusion that appellant did not reside at the subject address. On the other hand, appellant submitted copies of his 2002 vehicle registration,	No	N/A	No

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				a particular district. The Supreme Court, Rockland County, New York, ordered the cancellation of appellant's voter registration and party enrollment. Appellant challenged the trial court's order.	2000 and 2001 federal income tax returns, 2002 property tax bill, a May 2001 paycheck stub, and 2000 and 2001 retirement account statements all showing the subject address. Appellant also testified that he was a signatory on the mortgage of the subject address and that he kept personal belongings at that address. Respondents did not sustain their evidentiary burden. The judgment of the trial court was reversed.			
Nat'l Coalition v. Taft	United States District Court for the Southern District of Ohio	2002 U.S. Dist. LEXIS 22376	August 2, 2002	Plaintiffs, a nonprofit public interest group and certain individuals, sued defendants, certain state and university officials, alleging that they violated the National Voter Registration Act in failing to designate the disability services offices at state public colleges and universities as voter registration sites.	The court found that the disability services offices at issue were subject to the NVRA because the term "office" included a subdivision of a government department or institution and the disability offices at issue were places where citizens regularly went for service and assistance. Moreover, the Ohio Secretary of State had an obligation under the NVRA to designate the disability services offices as voter registration sites because nothing in the law superceded the NVRA's requirement that the responsible state official designate disability services offices as voter registration sites. Moreover, under	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				The group and individuals moved for a preliminary injunction.	Ohio Rev. Code Ann. § 3501.05(R), the Secretary of State's duties expressly included ensuring compliance with the NVRA. The case was not moot even though the Secretary of State had taken steps to ensure compliance with the NVRA given his position to his obligation under the law. The court granted declaratory judgment in favor of the nonprofit organization and the individuals. The motion for a preliminary injunction was granted in part and the Secretary of State was ordered to notify disabled students who had used the designated disability services offices prior to the opening day of the upcoming semester or who had pre--registered for the upcoming semester as to voter registration availability.			
Lawson v. Shelby County	United States Court of Appeals for the Sixth Circuit	211 F.3d 331; 2000 U.S. App. LEXIS 8634	May 3, 2000	Plaintiffs who were denied the right to vote when they refused to disclose their social security numbers, appealed a judgment of the United States	Plaintiffs attempted to register to vote in October, and to vote in November, but were denied because they refused to disclose their social security numbers. A year after the election date they filed suit alleging denial of constitutional rights, privileges and immunities, the Privacy Act of 1974	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any or Note)	Other Notes	Should the Case be Researched Further
				District Court for the Western District of Tennessee at Memphis dismissing their amended complaint for failure to state claims barred by U.S. Const. amend. XI.	and § 1983. The district court dismissed, finding the claims were barred by U.S. Const. amend. XI, and the one year statute of limitations. The appeals court reversed, holding the district court erred in dismissing the suit because U.S. Const. amend. XI immunity did not apply to suits brought by a private party under the Ex Parte Young exception. Any damages claim not ancillary to injunctive relief was barred. The court also held the statute of limitations ran from the date plaintiffs were denied the opportunity to vote, not register, and their claim was thus timely. Reversed and remanded to district court to order such relief as will allow plaintiffs to vote and other prospective injunctive relief against county and state officials; declaratory relief and attorneys' fees ancillary to the prospective injunctive relief, all permitted under the Young exception to sovereign immunity, to be fashioned.			
Curtis v. Smith	United States District Court for the Eastern District of Texas	145 F. Supp. 2d 814; 2001	June 4, 2001	Plaintiffs, representatives of several thousand retired persons who	Before a general election, three persons brought an action alleging the Escapees were not bona fide residents of the county, and sought to have their	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
		U.S. Dist. LEXIS 8544		called themselves the "Escapees," and who spent a large part of their lives traveling about the United States in recreational vehicles, but were registered to vote in the county, moved for preliminary injunction seeking to enjoin a Texas state court proceeding under the All Writs Act.	names expunged from the rolls of qualified voters. The plaintiffs brought suit in federal district court. The court issued a preliminary injunction forbidding county officials from attempting to purge the voting. Commissioner contested the results of the election, alleging Escapees' votes should be disallowed. Plaintiffs brought present case assertedly to prevent the same issue from being relitigated. The court held, however, the issues were different, since, unlike the case in the first proceeding, there was notice and an opportunity to be heard. Further, unlike the first proceeding, the plaintiff in the state court action did not seek to change the prerequisites for voting registration in the county, but instead challenged the actual residency of some members of the Escapees, and such challenge properly belonged in the state court. The court further held that an election contest under state law was the correct vehicle to contest the registration of Escapees. The court dissolved the temporary restraining order it had previously entered and denied plaintiffs' motion for preliminary			

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
					injunction of the state court proceeding.			
Pepper v. Darnell	United States Court of Appeals for the Sixth Circuit	24 Fed. Appx. 460; 2001 U.S. App. LEXIS 26618	December 10, 2001	Plaintiff individual appealed from a judgment of the district court, in an action against defendant state officials seeking relief under § 1983 and the National Voter Registration Act, for their alleged refusal to permit individual to register to vote. Officials had moved for dismissal or for summary judgment, and the district court granted the motion.	Individual argued on appeal that the district court erred in finding that the registration forms used by the state did not violate the NVRA and in failing to certify a class represented by individual. Individual lived in his automobile and received mail at a rented box. Officials refused to validate individual's attempt to register to vote by mail. Tennessee state law forbade accepting a rented mail box as the address of the potential voter. Individual insisted that his automobile registration provided sufficient proof of residency under the NVRA. The court upheld the legality of state's requirement that one registering to vote provide a specific location as an address, regardless of the transient lifestyle of the potential voter, finding state's procedure faithfully mirrored the requirements of the NVRA as codified in the Code of Federal Regulations. The court also held that the refusal to certify individual as the representative of a class for purposes of this litigation was not an abuse of	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (If of Note)	Other Notes	Should the Case be Researched Further
					discretion; in this case, no representative party was available as the indigent individual, acting in his own behalf, was clearly unable to represent fairly the class. The district court's judgment was affirmed.			
Miller v. Blackwell	United States District Court for the Southern District of Ohio	348 F. Supp. 2d 916; 2004 U.S. Dist. LEXIS 24894	October 27, 2004	Plaintiffs, two voters and the Ohio Democratic Party, filed suit against defendants, the Ohio Secretary of State, several county boards of elections, and all of the boards' members, alleging claims under the National Voter Registration Act and § 1983. Plaintiffs also filed a motion for a temporary restraining order (TRO). Two individuals filed a motion to intervene as defendants.	Plaintiffs alleged that the timing and manner in which defendants intended to hold hearings regarding pre--election challenges to their voter registration violated both the Act and the Due Process Clause. The individuals, who filed pre--election voter eligibility challenges, filed a motion to intervene. The court held that it would grant the motion to intervene because the individuals had a substantial legal interest in the subject matter of the action and time constraints would not permit them to bring separate actions to protect their rights. The court further held that it would grant plaintiffs' motion for a TRO because plaintiffs made sufficient allegations in their complaint to establish standing and because all four factors to consider in issuing a TRO weighed heavily in favor of doing so. The court found that plaintiffs	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further?
					demonstrated a likelihood of success on the merits because they made a strong showing that defendants' intended actions regarding pre--election challenges to voter eligibility abridged plaintiffs' fundamental right to vote and violated the Due Process Clause. Thus, the other factors to consider in granting a TRO automatically weighed in plaintiffs' favor. The court granted plaintiffs' motion for a TRO. The court also granted the individuals' motion to intervene.			
Miller v. Blackwell	United States District Court for the southern District of Ohio	348 F. Supp. 2d 916; 2004 U.S. Dist. LEXIS 24894	October 27, 2004	Plaintiffs, two voters and the Ohio Democratic Party, filed suit against defendants, the Ohio Secretary of State, several county boards of elections, and all of the boards' members, alleging claims under the National Voter Registration Act and § 1983. Plaintiffs also filed a motion	Plaintiffs alleged that the timing and manner in which defendants intended to hold hearings regarding pre--election challenges to their voter registration violated both the Act and the Due Process Clause. The individuals, who filed pre--election voter eligibility challenges, filed a motion to intervene. The court held that it would grant the motion to intervene because the individuals had a substantial legal interest in the subject matter of the action and time constraints would not permit them to bring separate actions to protect their	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				for a temporary restraining order. Two individuals filed a motion to intervene as defendants.	rights. The court further held that it would grant plaintiffs' motion for a TRO because plaintiffs made sufficient allegations in their complaint to establish standing and because all four factors to consider in issuing a TRO weighed heavily in favor of doing so. The court found that plaintiffs demonstrated a likelihood of success on the merits because they made a strong showing that defendants' intended actions regarding pre--election challenges to voter eligibility abridged plaintiffs' fundamental right to vote and violated the Due Process Clause. Thus, the other factors to consider in granting a TRO automatically weighed in plaintiffs' favor. The court granted plaintiffs' motion for a TRO. The court also granted the individuals' motion to intervene.			
Spencer v. Blackwell	United States District Court for the Southern District of Ohio	347 F. Supp. 2d 528; 2004 U.S. Dist. LEXIS	November 1, 2004	Plaintiff voters filed a motion for temporary restraining order and preliminary injunction seeking to restrain defendant	The voters alleged that defendants had combined to implement a voter challenge system at the polls that discriminated against African--American voters. Each precinct was run by its election judges but Ohio law also allowed challengers to be	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
		22062		election officials and intervenor State of Ohio from discriminating against black voters in Hamilton County on the basis of race. If necessary, they sought to restrain challengers from being allowed at the polls.	physically present in the polling places in order to challenge voters' eligibility to vote. The court held that the injury asserted, that allowing challengers to challenge voters' eligibility would place an undue burden on voters and impede their right to vote, was not speculative and could be redressed by removing the challengers. The court held that in the absence of any statutory guidance whatsoever governing the procedures and limitations for challenging voters by challengers, and the questionable enforceability of the State's and County's policies regarding good faith challenges and ejection of disruptive challengers from the polls, there existed an enormous risk of chaos, delay, intimidation, and pandemonium inside the polls and in the lines out the door. Furthermore, the law allowing private challengers was not narrowly tailored to serve Ohio's compelling interest in preventing voter fraud. Because the voters had shown a substantial likelihood of success on the merits on the ground that the application of Ohio's statute allowing challengers at polling places was			

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
					unconstitutional and the other factors governing the issuance of an injunction weighed in their favor, the court enjoined all defendants from allowing any challengers other than election judges and other electors into the polling places throughout the state on Election Day.			
Charfauros v. Bd. of Elections	United States Court of Appeals for the Ninth Circuit	2001 U.S. App. LEXIS 15083	May 10, 2001	Defendants, board of elections and related individuals, appealed from an order of the Supreme Court of the Commonwealth of the Northern Mariana Islands reversing a lower court's grant of summary judgment in favor of defendants on the ground of qualified immunity.	Plaintiffs, disqualified voters, claimed that individual members of the Commonwealth of the Northern Mariana Islands Board of Elections violated § 1983 by administering pre--election day voter challenge procedures which precluded a certain class of voters, including plaintiffs, from voting in a 1995 election. The CNMI Supreme Court reversed a lower court's grant of summary judgment and defendants appealed. The court of appeals held that the Board's pre--election day procedures violated the plaintiffs' fundamental right to vote. The federal court reasoned that the right to vote was clearly established at the time of the election, and that a reasonable Board would have known that that treating voters differently based on their political party would	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
					violate the Equal Protection Clause. Further the court added that the allegations of the complaint were sufficient to support liability of the Board members in their individual capacities. Finally, the composition of the CNMI Supreme Court's Special Judge panel did not violate the Board's right to due process of law. The decision of Commonwealth of the Northern Mariana Islands Supreme Court was affirmed where defendants' pre--election day voter challenge procedures violated plaintiffs' fundamental right to vote.			
Wit v. Berman	United States Court of Appeals for the Second Circuit	306 F.3d 1256; 2002 U.S. App. LEXIS 21301	October 11, 2002	Appellant voters who established residences in two separate cities sued appellees, state and city election officials, alleging that provisions of the New York State Election Law unconstitutionally prevented the voters from voting in local elections in both	Under state election laws, the voters could only vote in districts in which they resided, and residence was limited to one place. The voters contended that, since they had two lawful residences, they were denied constitutional equal protection by the statutory restriction against voting in the local elections of both of the places of their residences. The appellate court held, however, that no constitutional violation was shown since the provisions of the New York State Election Law imposed only reasonable,	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				cities where they resided. The voters appealed the order of the United States District Court for the Southern District of New York which granted appellees' motion to dismiss the complaint.	nondiscriminatory restrictions which advanced important state regulatory interests. While the voters may have interests in electoral outcomes in both cities, any rule permitting voting based on such interests would be unmanageable and subject to potential abuse. Further, basing voter eligibility on domicile, which was always over--or under--inclusive, nonetheless had enormous practical advantages, and the voters offered no workable standard to replace the domicile test. Finally, allowing the voters to choose which of their residences was their domicile for voting purposes could not be deemed discriminatory. Affirmed.			
Curtis v. Smith	United States District Court for the Eastern District of Texas	121 F. Supp. 2d 1054; 2000 U.S. Dist. LEXIS 17987	November 3, 2000	Plaintiffs sought a preliminary injunction to prohibit defendant tax assessor-collector from mailing confirmation letters to approximately 9,000 persons who were registered voters in Polk	Plaintiffs sought to prohibit defendant from mailing confirmation letters to approximately 9,000 persons, self--styled "escapees" who traveled a major portion of each year in recreational vehicles, all of whom were registered to vote in Polk County, Texas. In accordance with Texas law, three resident voters filed affidavits challenging the escapees' residency. These affidavits triggered defendant's action in sending confirmation notices	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if Of Note)	Other Notes	Should the Case be Researched Further
				County, Texas.	to the escapees. The court determined, first, that because of the potential for discrimination, defendant's action required preclearance in accordance with § 5 of the Voting Rights Act and, second, that such preclearance had not been sought or obtained. Accordingly, the court issued a preliminary injunction prohibiting defendant from pursuing the confirmation of residency of the escapees, or any similarly situated group, under the Texas Election Code until the process had been submitted for preclearance in accordance with § 5. The action was taken to ensure that no discriminatory potential existed in the use of such process in the upcoming presidential election or future election. Motion for preliminary injunction was granted, and defendant was enjoined from pursuing confirmation of residency of the 9,000 "escapees," or any similarly situated group, under the Texas Election Code, until the process had been submitted for preclearance under § 5 of the Voting Rights Act.			
Peace & Freedom Party	Court of Appeal of California,	114 Cal. App. 4th	January 15, 2004	Plaintiff political party appealed a	The trial court ruled that inactive voters were excluded from the primary	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (or Note)	Other Notes	Should the Case be Researched Further
v. Shelley	Third Appellate District	1237; 8 Cal. Rptr. 3d 497; 2004 Cal. App. LEXIS 42		judgment from the superior court which denied the party's petition for writ of mandate to compel defendant, the California Secretary of State, to include voters listed in the inactive file of registered voters in calculating whether the party qualified to participate in a primary election.	election. The court of appeals affirmed, observing that although the election had already taken place, the issue was likely to recur and was a matter of continuing public interest and importance; hence, a decision on the merits was proper, although the case was technically moot. The law clearly excluded inactive voters from the calculation. The statutory scheme did not violate the inactive voters' constitutional right of association because it was reasonably designed to ensure that all parties on the ballot had a significant modicum of support from eligible voters. Information in the inactive file was unreliable and often duplicative of information in the active file. Moreover, there was no violation of the National Voter Registration Act because voters listed as inactive were not prevented from voting. Although the Act prohibited removal of voters from the official voting list absent certain conditions, inactive voters in California could correct the record and vote as provided the Act. The court affirmed the denial of a writ of mandate.			

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Bell v. Marinko	United States District Court for the Northern District of Ohio	235 F. Supp. 2d 772; 2002 U.S. Dist. LEXIS 21753	October 22, 2002	Plaintiff voters sued defendants, a county board of elections, a state secretary of state, and the state's attorney general, for violations of the Motor Voter Act and equal protection of the laws. Defendants moved for summary judgment. The voters also moved for summary judgment.	The board heard challenges to the voters' qualifications to vote in the county, based on the fact that the voters were transient (seasonal) rather than permanent residents of the county. The voters claimed that the board hearings did not afford them the requisite degree of due process and contravened their rights of privacy by inquiring into personal matters. As to the MVA claim, the court held that residency within the precinct was a crucial qualification. One simply could not be an elector, much less a qualified elector entitled to vote, unless one resided in the precinct where he or she sought to vote. If one never lived within the precinct, one was not and could not be an eligible voter, even if listed on the board's rolls as such. The MVA did not affect the state's ability to condition eligibility to vote on residence. Nor did it undertake to regulate challenges, such as the ones presented, to a registered voter's residency ab initio. The ability of the challengers to assert that the voters were not eligible and had not ever been eligible, and of the board to consider and resolve that challenge, did not	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
					contravene the MVA. Defendants' motions for summary judgment were granted as to all claims with prejudice, except the voters' state--law claim, which was dismissed for want of jurisdiction, without prejudice.			
Charles H. Wesley Educ. Found., Inc. v. Cox	United States Court of Appeals for the Eleventh Circuit	408 F.3d 1349; 2005 U.S. App. LEXIS 8320	May 12, 2005	Plaintiffs, a charitable foundation, four volunteers, and a registered voter, filed a suit against defendant state officials alleging violations of the National Voter Registration Act and the Voting Rights Act. The officials appealed after the United States District Court for the Northern District of Georgia issued a preliminary injunction enjoining them from rejecting voter registrations submitted by the	The foundation conducted a voter registration drive; it placed the completed applications in a single envelope and mailed them to the Georgia Secretary of State for processing. Included in the batch was the voter's change of address form. Plaintiffs filed the suit after they were notified that the applications had been rejected pursuant to Georgia law, which allegedly restricted who could collect voter registration forms. Plaintiffs contended that the officials had violated the NVRA, the VRA, and U.S. Const. amends. I, XIV, XV. The officials argued that plaintiffs lacked standing and that the district court had erred in issuing the preliminary injunction. The court found no error. Plaintiffs had sufficiently alleged injuries under the NVRA, arising out of the rejection of the voter registration forms; the allegations in the complaint	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				foundation.	sufficiently showed an injury--in--fact that was fairly traceable to the officials' conduct. The injunction was properly issued. There was a substantial likelihood that plaintiffs would prevail as to their claims; it served the public interest to protect plaintiffs' franchise--related rights. The court affirmed the preliminary injunction order entered by the district court.			
McKay v. Thompson	United States Court of Appeals for the Sixth Circuit	226 F.3d 752; 2000 U.S. App. LEXIS 23387	September 18, 2000	Plaintiff challenged order of United States District Court for Eastern District of Tennessee at Chattanooga, which granted defendant state election officials summary judgment on plaintiff's action seeking to stop the state practice of requiring its citizens to disclose their social security numbers as a precondition to voter registration.	The trial court had granted defendant state election officials summary judgment. The court declined to overrule defendants' administrative determination that state law required plaintiff to disclose his social security number because the interpretation appeared to be reasonable, did not conflict with previous case law, and could be challenged in state court. The requirement did not violate the Privacy Act of 1974, because it was grand fathered under the terms of the Act. The limitations in the National Voter Registration Act did not apply because the NVRA did not specifically prohibit the use of social security numbers and the Act contained a more specific provision regarding such use. The trial	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
					court properly rejected plaintiff's fundamental right to vote, free exercise of religion, privileges and immunities, and due process claims. Order affirmed because requirement that voters disclose social security numbers as precondition to voter registration did not violate Privacy Act of 1974 or National Voter Registration Act and trial court properly rejected plaintiff's fundamental right to vote, free exercise of religion, privileges and immunities, and due process claims.			
Nat'l Coalition for Students with Disabilities Educ. & Legal Def. Fund v. Scales	United States District Court for the Southern District of Maryland	150 F. Supp. 2d 845; 2001 U.S. Dist. LEXIS 9528	July 5, 2001	Plaintiff, national organization for disabled students, brought an action against university president and university's director of office of disability support services to challenge the voter registration procedures established by the disability support services. Defendants moved to dismiss	Defendants alleged that plaintiff lacked standing to represent its members, and that plaintiff had not satisfied the notice requirements of the National Voter Registration Act. Further, defendants maintained the facts, as alleged by plaintiff, did not give rise to a past, present, or future violation of the NVRA because (1) the plaintiff's members that requested voter registration services were not registered students at the university and (2) its current voter registration procedures complied with NVRA. As to plaintiff's § 1983 claim, the court held that while plaintiff had alleged	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				the first amended complaint, or in the alternative for summary judgment.	sufficient facts to confer standing under the NVRA, such allegations were not sufficient to support standing on its own behalf on the § 1983 claim. As to the NVRA claim, the court found that the agency practice of only offering voter registration services at the initial intake interview and placing the burden on disabled students to obtain voter registration forms and assistance afterwards did not satisfy its statutory duties. Furthermore, most of the NVRA provisions applied to disabled applicants not registered at the university. Defendants' motion to dismiss first amended complaint was granted as to the § 1983 claim and denied as to plaintiff's claims brought under the National Voter Registration Act of 1993. Defendants' alternative motion for summary judgment was denied.			
Cunningham v. Chi. Bd. of Election Comm'rs	United States District Court for the Northern District of Illinois	2003 U.S. Dist. LEXIS 2528	February 24, 2003	Plaintiffs, who alleged that they were duly registered voters, six of whom had signed nominating petitions for one candidate	Plaintiffs argued that objections to their signatures were improperly sustained by defendants, the city board of election commissioners. Plaintiff's argued that they were registered voters whose names appeared in an inactive file and whose signatures were	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				and two of whom signed nominating petitions for another candidate. They first asked for a preliminary injunction of the municipal election scheduled for the following Tuesday and suggested, alternatively, that the election for City Clerk and for 4th Ward Alderman be enjoined.	therefore, and improperly, excluded. The court ruled that by characterizing the claim as plaintiffs did, they sought to enjoin an election because their signatures were not counted, even though their preferred candidates were otherwise precluded from appearing on the ballot. Without regard to their likelihood of obtaining any relief, plaintiffs failed to demonstrate that they would be irreparably harmed if an injunction did not issue; the threatened injury to defendants, responsible as they were for the conduct of the municipal election, far outweighed any threatened injury to plaintiffs; and the granting of a preliminary injunction would greatly disserve the public interest. Plaintiffs' petition for preliminary relief was denied.			
Diaz v. Hood	United States District Court for the Southern District of Florida	342 F. Supp. 2d 1111; 2004 U.S. Dist. LEXIS 21445	October 26, 2004	Plaintiffs, unions and individuals who had attempted to register to vote, sought a declaration of their rights to vote in the November 2, 2004 general election. They	The putative voters sought injunctive relief requiring the election officials to register them to vote. The court first noted that the unions lacked even representative standing, because they failed to show that one of their members could have brought the case in their own behalf. The individual putative voters raised separate issues:	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				alleged that defendants, state and county election officials, refused to process their voter registrations for various failures to complete the registration forms. The election officials moved to dismiss the complaint for lack of standing and failure to state a claim.	the first had failed to verify her mental capacity, the second failed to check a box indicating that he was not a felon, and the third did not provide the last four digits of her social security number on the form. They claimed the election officials violated federal and state law by refusing to register eligible voters because of nonmaterial errors or omissions in their voter registration applications, and by failing to provide any notice to voter applicants whose registration applications were deemed incomplete. In the first two cases, the election official had handled the errant application properly under Florida law, and the putative voter had effectively caused their own injury by failing to complete the registration. The third completed her form and was registered, so had suffered no injury. Standing failed against the secretary of state. Motion to dismiss without prejudice granted.			
Bell v. Marinko	United States District Court for the Northern District of Ohio	235 F. Supp. 2d 772; 2002	October 22, 2002	Plaintiff voters sued defendants, a county board of elections, a state secretary of	The board heard challenges to the voters' qualifications to vote in the county, based on the fact that the voters were transient (seasonal) rather	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
		U.S. Dist. LEXIS 21753		state, and the state's attorney general, for violations of the Motor Voter Act and equal protection of the laws. Defendants moved for summary judgment. The voters also moved for summary judgment.	than permanent residents of the county. The voters claimed that the board hearings did not afford them the requisite degree of due process and contravened their rights of privacy by inquiring into personal matters. As to the MVA claim, the court held that residency within the precinct was a crucial qualification. One simply could not be an elector, much less a qualified elector entitled to vote, unless one resided in the precinct where he or she sought to vote. If one never lived within the precinct, one was not and could not be an eligible voter, even if listed on the board's rolls as such. The MVA did not affect the state's ability to condition eligibility to vote on residence. Nor did it undertake to regulate challenges, such as the ones presented, to a registered voter's residency ab initio. The ability of the challengers to assert that the voters were not eligible and had not ever been eligible, and of the board to consider and resolve that challenge, did not contravene the MVA. Defendants' motions for summary judgment were granted as to all claims with prejudice, except the voters' state--law claim,			

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					which was dismissed for want of jurisdiction, without prejudice.			
Bell v. Marinko	United States Court of Appeals for the Sixth Circuit	367 F.3d 588; 2004 U.S. App. LEXIS 8330	April 28, 2004	Plaintiffs, registered voters, sued defendants, Ohio Board of Elections and Board members, alleging that Ohio Rev. Code Ann. §§ 3509.19--3509.21 violated the National Voter Registration Act, and the Equal Protection Clause of the Fourteenth Amendment. The United States District Court for the Northern District of Ohio granted summary judgment in favor of defendants. The voters appealed.	The voters contested the challenges to their registration brought under Ohio Code Rev. Ann. § 3505.19 based on Ohio Rev. Code Ann. § 3503.02. Specifically, the voters asserted that § 3503.02----which stated that the place where the family of a married man or woman resided was considered to be his or her place of residence----violated the equal protection clause. The court of appeals found that the Board's procedures did not contravene the National Voter Registration Act because Congress did not intend to bar the removal of names from the official list of persons who were ineligible and improperly registered to vote in the first place. The National Voter Registration Act did not bar the Board's continuing consideration of a voter's residence, and encouraged the Board to maintain accurate and reliable voting rolls. Ohio was free to take reasonable steps to see that all applicants for registration to vote actually fulfilled the requirement of bona fide residence. Ohio Rev. Code	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
					Ann. § 3503.02(D) did not contravene the National Voter Registration Act. Because the Board did not raise an irrebuttable presumption in applying § 3502.02(D), the voters suffered no equal protection violation. The judgment was affirmed.			
Hileman v. McGinness	Court of Appeals of Illinois, Fifth District	316 Ill. App. 3d 868; 739 N.E.2d 81; 2000 Ill. App. LEXIS 845	October 25, 2000	Appellant challenged the circuit court declaration that that the result of a primary election for county circuit clerk was void.	In a primary election for county circuit clerk, the parties agreed that 681 absentee ballots were presumed invalid. The ballots had been commingled with the valid ballots. There were no markings or indications on the ballots which would have allowed them to be segregated from other ballots cast. Because the ballots could not have been segregated, apportionment was the appropriate remedy if no fraud was involved. If fraud was involved, the election would have had to have been voided and a new election held. Because the trial court did not hold an evidentiary hearing on the fraud allegations, and did not determine whether fraud was in issue, the case was remanded for a determination as to whether fraud was evident in the electoral process. The court reversed the declaration of the	No	N/A	No

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					trial court, holding that a determination as to whether fraud was involved in the election was necessary to a determination of whether or not a new election was required.			
DeFabio v. Gummersheimer	Supreme Court of Illinois	192 Ill. 2d 63; 733 N.E.2d 1241; 2000 Ill. LEXIS 993	July 6, 2000	Appellant challenged the judgment of the appellate court, which affirmed the trial court's decision granting appellee's summary judgment motion in action brought by appellee to contest the results of the election for the position of county coroner in Monroe County.	Appellee filed a petition for election contest, alleging that the official results of the Monroe County coroners election were invalid because none of the 524 ballots cast in Monroe County's second precinct were initialed by an election judge, in violation of Illinois law. The trial court granted appellee's motion for summary judgment, and the appellate court affirmed the judgment. The Illinois supreme court affirmed, noting that statutes requiring election judges to initial election ballots were mandatory, and uninitialed ballots could not have been counted, even where the parties agreed that there was no knowledge of fraud or corruption. Thus, the supreme court held that the trial court properly invalidated all of the ballots cast in Monroe County's second precinct. The court reasoned that none of the ballots contained the requisite initialing, and neither party argued that any of the	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if Note)	Other Notes	Should the Case be Researched Further
					uninitialed ballots could have been distinguished or identified as absentee ballots. The supreme court affirmed the judgment because the Illinois statute requiring election judges to initial election ballots was mandatory, and uninitialed ballots could not have been counted, even where the parties agreed that there was no knowledge of fraud or corruption. Additionally, none of the ballots in Monroe County's second precinct contained the requisite initialing.			
Gilmore v. Amityville Union Free Sch. Dist.	United States District Court for the Eastern District of New York	305 F. Supp. 2d 271; 2004 U.S. Dist. LEXIS 3116	March 2, 2004	Plaintiffs, two school board candidates, filed a class action complaint against defendants, a school district, the board president, and other district agents or employees, challenging a school board election. Defendants moved to dismiss.	During the election, a voting machine malfunctioned, resulting in votes being cast on lines that were blank on the ballot. The board president devised a plan for counting the machine votes by moving each tally up one line. The two candidates, who were African American, alleged that the president's plan eliminated any possibility that an African American would be elected. The court found that the candidates failed to state a claim under § 1983 because they could not show that defendants' actions were done or approved by a person with final policymaking authority, nor was there	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (If of Note)	Other Notes	Should the Case be Researched Further
					a showing of intentional or purposeful discrimination on defendants' part. The vote--counting method applied equally to all candidates. The candidates' claims under § 2000a and 2000c--8 failed because schools were not places of public accommodation, as required under § 2000a, and § 2000c--8 applied to school segregation. Their claim under § 1971 of deprivation of voting rights failed because § 1971 did not provide for a private right of action. The court declined to exercise supplemental jurisdiction over various state law claims. Defendants' motion to dismiss was granted with respect to the candidates' federal claims; the state law claims were dismissed without prejudice.			
State ex rel. Mackey v. Blackwell	Supreme Court of Ohio	106 Ohio St. 3d 261; 2005 Ohio 4789; 834 N.E.2d 346; 2005	September 28, 2005	Appellants, a political group and county electors who voted by provisional ballot, sought review of a judgment from the court of appeals, which dismissed appellants' complaint, seeking a	The Secretary of State issued a directive to all Ohio county boards of elections, which specified that a signed affirmation statement was necessary for the counting of a provisional ballot in a presidential election. During the election, over 24,400 provisional ballots were cast in one county. The electors' provisional ballots were not counted. They, together with a political	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
		Ohio LEXIS 2074		writ of mandamus to prevent appellees, the Ohio Secretary of State, a county board of elections, and the board's director, from disenfranchisement of provisional ballot voters.	activist group, brought the mandamus action to compel appellants to prohibit the invalidation of provisional ballots and to notify voters of reasons for ballot rejections. Assorted constitutional and statutory law was relied on in support of the complaint. The court dismissed the complaint, finding that no clear legal right was established under Ohio law and the federal claims could be adequately raised in an action under § 1983. On appeal, the Ohio supreme court held that dismissal was proper, as the complaint actually sought declaratory and injunctive relief, rather than mandamus relief. Further, election--contest actions were the exclusive remedy to challenge election results. An adequate remedy existed under § 1983 to raise the federal--law claims. Affirmed.			
Touchston v. McDermott	United States District Court for the Middle District of Florida	120 F. Supp. 2d 1055; 2000 U.S. Dist. LEXIS	November 14, 2000	In action in which plaintiffs, registered voters in Brevard County, Florida, filed suit against defendants, members of several	In their complaint, plaintiffs challenged the constitutionality of § 102.166(4), asserting that the statute violated their rights under the Equal Protection and Due Process Clauses of U.S. Const. amend. XIV. Based on these claims, plaintiffs sought an order	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any) of Note	Other Notes	Should the Case be Researched Further
		20091		County Canvassing Boards and the Secretary of the Florida Department of State, challenging the constitutionality of Fla. Stat. Ann. § 102.166(4) (2000), before the court was plaintiffs' emergency motion for temporary restraining order and/or preliminary injunction.	from the court stopping the manual recount of votes. The court found that plaintiffs had failed to set forth a valid basis for intervention by federal courts. They had not alleged that the Florida law was discriminatory, that citizens were being deprived of the right to vote, or that there had been fraudulent interference with the vote. Moreover, plaintiffs had not established a likelihood of success on the merits of their claims. Plaintiffs' motion for temporary restraining order and/or preliminary injunction denied; plaintiffs had not alleged that the Florida law was discriminatory, that citizens were being deprived of the right to vote, or that there had been fraudulent interference with the vote.			
Siegel v. LePore	United States District Court for the Southern District of Florida	120 F. Supp. 2d 1041; 2000 U.S. Dist. LEXIS 16333	November 13, 2000	Plaintiffs, individual Florida voters and Republican Party presidential and vice-presidential candidates, moved for a temporary restraining order and preliminary injunction to enjoin	The court addressed who should consider plaintiffs' serious arguments that manual recounts would diminish the accuracy of vote counts due to ballot degradation and the exercise of discretion in determining voter intent. The court ruled that intervention by a federal district court, particularly on a preliminary basis, was inappropriate. A federal court should not interfere	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any) of Note	Other Notes	Should the Case be Researched Further
				defendants, canvassing board members from four Florida counties, from proceeding with manual recounts of election ballots.	except where there was an immediate need to correct a constitutional violation. Plaintiffs neither demonstrated a clear deprivation of a constitutional injury or a fundamental unfairness in Florida's manual recount provision. The recount provision was reasonable and non--discriminatory on its face and resided within the state's broad control over presidential election procedures. Plaintiffs failed to show that manual recounts were so unreliable as to constitute a constitutional injury, that plaintiffs' alleged injuries were irreparable, or that they lacked an adequate state court remedy. Injunctive relief denied because plaintiffs demonstrated neither clear deprivation of constitutional injury or fundamental unfairness in Florida's manual recount provision to justify federal court interference in state election procedures.			
Gore v. Harris	Supreme Court of Florida	773 So. 2d 524; 2000 Fla. LEXIS 2474	December 22, 2000	In a contest to results of the 2000 presidential election in Florida, the United States Supreme Court	The state supreme court had ordered the trial court to conduct a manual recount of 9000 contested Miami--Dade County ballots, and also held that uncounted "undervotes" in all Florida counties were to be manually counted.	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further?
				reversed and remanded a Florida Supreme Court decision that had ordered a manual recount of certain ballots.	The trial court was ordered to use the standard that a vote was "legal" if there was a clear indication of the intent of the voter. The United States Supreme Court released an opinion on December 12, 2000, which held that such a standard violated equal protection rights because it lacked specific standards to ensure equal application, and also mandated that any manual recount would have to have been completed by December 12, 2000. On remand, the state supreme court found that it was impossible under that time frame to adopt adequate standards and make necessary evaluations of vote tabulation equipment. Also, development of a specific, uniform standard for manual recounts was best left to the legislature. Because adequate standards for a manual recount could not be developed by the deadline set by the United States Supreme Court, appellants were afforded no relief.			
Goodwin v. St. Thomas--St. John Bd. of	Territorial Court of the Virgin Islands	43 V.I. 89; 2000 V.I.	December 13, 2000	Plaintiff political candidate alleged that certain general	Plaintiff alleged that defendants counted unlawful absentee ballots that lacked postmarks, were not signed or	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
Elections		LEXIS 15		election absentee ballots violated territorial election law, and that the improper inclusion of such ballots by defendants, election board and supervisor, resulted in plaintiff's loss of the election. Plaintiff sued defendants seeking invalidation of the absentee ballots and certification of the election results tabulated without such ballots.	notarized, were in unsealed and/or torn envelopes, and were in envelopes containing more than one ballot. Prior to tabulation of the absentee ballots, plaintiff was leading intervenor for the final senate position, but the absentee ballots entitled intervenor to the position. The court held that plaintiff was not entitled to relief since he failed to establish that the alleged absentee voting irregularities would require invalidation of a sufficient number of ballots to change the outcome of the election. While the unsealed ballots constituted a technical violation, the outer envelopes were sealed and thus substantially complied with election requirements. Further, while defendants improperly counted one ballot where a sealed ballot envelope and a loose ballot were in the same outer envelope, the one vote involved did not change the election result. Plaintiff's other allegations of irregularities were without merit since ballots without postmarks were valid, ballots without signatures were not counted, and ballots without notarized signatures were proper. Plaintiff's request for declaratory and injunctive			

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
					relief was denied. Invalidation of absentee ballots was not required since the irregularities asserted by plaintiff involved ballots which were in fact valid, were not tabulated by defendants, or were insufficient to change the outcome of the election.			
Shannon v. Jacobowitz	United States Court of Appeals for the Second Circuit	394 F.3d 90; 2005 U.S. App. LEXIS 259	January 7, 2005	Plaintiffs, voters and an incumbent candidate, sued defendants, a challenger candidate, a county board of election, and commissioners, pursuant to § 1983 alleging violation of the Due Process Clause of the Fourteenth Amendment. The United States District Court for the Northern District of New York granted summary judgment in favor of plaintiffs. Defendants appealed.	Local election inspectors noticed a problem with a voting machine. Plaintiffs asserted that their votes were not counted due to the machine malfunction. Rather than pursue the state remedy of quo warranto, by requesting that New York's Attorney General investigate the machine malfunction and challenge the election results in state court, plaintiffs filed their complaint in federal court. The court of appeals found that United States Supreme Court jurisprudence required intentional conduct by state actors as a prerequisite for a due process violation. Neither side alleged that local officials acted intentionally or in a discriminatory manner with regard to the vote miscount. Both sides conceded that the recorded results were likely due to an unforeseen malfunction with the voting machine.	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (or Note)	Other Notes	Should the Case be Researched Further
					Because no conduct was alleged that would indicate an intentional deprivation of the right to vote, there was no cognizable federal due process claim. The proper remedy was to assert a quo warranto action to challenge the outcome of a general election based on an alleged voting machine malfunction. The district court's grant of summary judgment was reversed and its injunctions were vacated. The case was remanded for further proceedings consistent with this opinion.			
GEORGE W. BUSH v. PALM BEACH COUNTY CANVASSING BOARD, ET AL.	United States Supreme Court	531 U.S. 70; 121 S. Ct. 471; 148 L. Ed. 2d 366; 2000 U.S. LEXIS 8087	December 4, 2000	Appellant Republican presidential candidate's petition for writ of certiorari to the Florida supreme court was granted in a case involving interpretations of Fla. Stat. Ann. §§ 102.111, 102.112, in proceedings brought by appellees Democratic	The Supreme Court vacated the state court's judgment, finding that the state court opinion could be read to indicate that it construed the Florida Election Code without regard to the extent to which the Florida Constitution could, consistent with U.S. Const. art. II, § 1, cl. 2, circumscribe the legislative power. The judgment of the Florida Supreme Court was vacated and remanded for further proceedings. The court stated the judgment was unclear as to the extent to which the state court saw the Florida constitution as circumscribing the legislature's	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				presidential candidate, county canvassing boards, and Florida Democratic Party regarding authority of the boards and respondent Florida Secretary of State as to manual recounts of ballots and deadlines.	authority under Article II of the United States Constitution, and as to the consideration given the federal statute regarding state electors.			
Touchston v. McDermott	United States Court of Appeals for the Eleventh Circuit	234 F.3d 1130; 2000 U.S. App. LEXIS 29366	November 17, 2000	Plaintiff voters appealed from judgment of the United States District Court for the Middle District of Florida, which denied their emergency motion for an injunction pending appeal against defendant county election officials. Plaintiffs sought to enjoin defendants from conducting manual	Plaintiff voters sought an emergency injunction pending appeal to enjoin defendant county election officials from conducting manual ballot recounts or to enjoin defendants from certifying the results of the Presidential election which contained any manual recounts. The district court denied the emergency injunction and plaintiffs appealed. Upon review, the emergency motion for injunction pending appeal was denied without prejudice. Florida had adequate election dispute procedures, which had been invoked and were being implemented in the forms of administrative actions by state officials and actions in state court.	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				ballot recounts or to enjoin defendants from certifying results of the presidential election that contained any manual recounts.	Therefore, the state procedures were adequate to preserve for ultimate review in the United States Supreme Court any federal questions arising out of the state procedures. Moreover, plaintiffs failed to demonstrate a substantial threat of an irreparable injury that would warrant granting the extraordinary remedy of an injunction pending appeal. Denial of plaintiff's petition for emergency injunction pending appeal was affirmed. The state procedures were adequate to preserve any federal issue for review, and plaintiffs failed to demonstrate a substantial threat of an irreparable injury that would have warranted granting the extraordinary remedy of the injunction.			
Gore v. Harris	Supreme Court of Florida	772 So. 2d 1243; 2000 Fla. LEXIS 2373	December 8, 2000	The court of appeal certified as being of great public importance a trial court judgment that denied all relief requested by appellants, candidates for President and Vice	Appellants contested the certification of their opponents as the winners of Florida's electoral votes. The Florida supreme court found no error in the trial court's holding that it was proper to certify election night returns from Nassau County rather than results of a machine recount. Nor did the trial court err in refusing to include votes that the Palm Beach County	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any or Note)	Other Notes	Should the Case be Researched Further
				President of the United States, in appellants' contest to certified election results.	Canvassing Board found not to be legal votes during a manual recount. However, the trial court erred in excluding votes that were identified during the Palm Beach County manual recount and during a partial manual recount in Miami--Dade County. It was also error to refuse to examine Miami--Dade County ballots that registered as non--votes during the machine count. The trial court applied an improper standard to determine whether appellants had established that the result of the election was in doubt, and improperly concluded that there was no probability of a different result without examining the ballots that appellants claimed contained rejected legal votes. The judgment was reversed and remanded; the trial court was ordered to tabulate by hand Miami-Dade County ballots that the counting machine registered as non--votes, and was directed to order inclusion of votes that had already been identified during manual recounts. The trial court also was ordered to consider whether manual recounts in other counties were necessary.			

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Reitz v. Rendell	United States District Court for the Middle District of Pennsylvania	2004 U.S. Dist. LEXIS 21813	October 29, 2004	Plaintiff service members filed an action against defendant state officials under the Uniformed and Overseas Citizens Absentee Voting Act alleging that they and similarly situated service members would be disenfranchised because they did not receive their absentee ballots in time. The parties entered into a voluntary agreement and submitted it to the court for approval.	The court issued an order to assure that the service members and other similarly situated service members who were protected by the UOCAVA would not be disenfranchised. The court ordered the Secretary of the Commonwealth of Pennsylvania to take all reasonable steps necessary to direct the county boards of elections to accept as timely received absentee ballots cast by service members and other overseas voters as defined by UOCAVA, so long as the ballots were received by November 10, 2004. The ballots were to be considered solely for purposes of the federal offices that were included on the ballots. The court held that the ballot needed to be cast no later than November 2, 2004 to be counted. The court did not make any findings of liability against the Governor or the Secretary. The court entered an order, pursuant to a stipulation between the parties, that granted injunctive relief to the service members.	No	N/A	No
United States v. Pennsylvania	United States District Court for the Middle	2004 U.S. Dist.	October 20, 2004	Plaintiff United States sued defendant	The testimony of the two witnesses offered by the United States did not support its contention that voters	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
	district of Pennsylvania	LEXIS 21167		Commonwealth of Pennsylvania, governor, and state secretary, claiming that overseas voters would be disenfranchised if they used absentee ballots that included the names of two presidential candidates who had been removed from the final certified ballot and seeking injunctive relief to address the practical implications of the final certification of the slate of candidates so late in the election year.	protected by the Uniformed and Overseas Citizens Absentee Voting Act would be disenfranchised absent immediate injunctive relief because neither witness testified that any absentee ballots issued to UOCAVA voters were legally incorrect or otherwise invalid. Moreover, there was no evidence that any UOCAVA voter had complained or otherwise expressed concern regarding their ability or right to vote. The fact that some UOCAVA voters received ballots including the names of two candidates who were not on the final certified ballot did not ipso facto support a finding that Pennsylvania was in violation of UOCAVA, especially since the United States failed to establish that the ballot defect undermined the right of UOCAVA voters to cast their ballots. Moreover, Pennsylvania had adduced substantial evidence that the requested injunctive relief, issuing new ballots, would have harmed the Pennsylvania election system and the public by undermining the integrity and efficiency of Pennsylvania's elections and increasing election costs.must consider the following four factors: (1)			

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					the likelihood that the applicant will prevail on the merits of the substantive claim; (2) the extent to which the moving party will be irreparably harmed in the absence of injunctive relief; (3) the extent to which the nonmoving party will suffer irreparable harm if the court grants the requested injunctive relief; and (4) the public interest. District courts should only grant injunctive relief after consideration of each of these factors. Motion for injunctive relief denied.			
Bush v. Hillsborough County Canvassing Bd.	United States District Court for the Northern District of Florida	123 F. Supp. 2d 1305; 2000 U.S. Dist. LEXIS 19265		The matter came before the court on plaintiffs' complaint for declaratory and injunctive relief alleging that defendant county canvassing boards rejected overseas absentee state ballots and federal write--in ballots based on criteria inconsistent with federal law, and requesting that the ballots be declared	Plaintiff presidential and vise--presidential candidates and state political party contended that defendant county canvassing boards rejected overseas absentee state ballots and federal write--in ballots based on criteria inconsistent with the Uniformed and Overseas Citizens Absentee Voting Act. Because the state accepted overseas absentee state ballots and federal write--in ballots up to 10 days after the election, the State needed to access that the ballot in fact came from overseas. However, federal law provided the method to establish that fact by requiring the overseas	No	N/A	No

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				valid and that they should be counted.	absentee voter to sign an oath that the ballot was mailed from outside the United States and requiring the state election officials to examine the voter's declarations. The court further noted that federal law required the user of a federal write--in ballot to timely apply for a regular state absentee ballot, not that the state receive the application, and that again federal law, by requiring the voter using a federal write--in ballot to swear that he or she had made timely application, had provided the proper method of proof. Plaintiffs withdrew as moot their request for injunctive relief and the court granted in part and denied in part plaintiffs' request for declaratory relief, and relief GRANTED in part and declared valid all federal write--in ballots that were signed pursuant to the oath provided therein but rejected solely because the ballot envelope did not have an APO, FPO, or foreign postmark, or solely because there was no record of an application for a state absentee ballot.			
Harris v. Florida Elections Canvassing	United States District Court for the Northern	122 F. Supp. 2d 1317;	December 9, 2000	Plaintiffs challenged the counting of overseas absentee	In two separate cases, plaintiff electors originally sued defendant state elections canvassing commission and	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
Comm'n	District of Florida	2000 U.S. Dist. LEXIS 17875		ballots received after 7 p.m. on election day, alleging the ballots violated Florida election law.	state officials in Florida state circuit court, challenging the counting of overseas absentee ballots received after 7 p.m. on election day. Defendant governor removed one case to federal court. The second case was also removed. The court in the second case denied plaintiff's motion for remand and granted a motion to transfer the case to the first federal court under the related case doctrine. Plaintiffs claimed that the overseas ballots violated Florida election law. Defendants argued the deadline was not absolute. The court found Congress did not intend 3 U.S.C.S. § 1 to impose irrational scheduling rules on state and local canvassing officials, and did not intend to disenfranchise overseas voters. The court held the state statute was required to yield to Florida Administrative Code, which required the 10-day extension in the receipt of overseas absentee ballots in federal elections because the rule was promulgated to satisfy a consent decree entered by the state in 1982. Judgment entered for defendants because a Florida administrative rule requiring a 10--day extension in the receipt of			

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					overseas absentee ballots in federal elections was enacted to bring the state into compliance with a federally ordered mandate; plaintiffs were not entitled to relief under any provision of state or federal law.			
Romeu v. Cohen	United States District Court for the Southern District of New York	121 F. Supp. 2d 264; 2000 U.S. Dist. LEXIS 12842	September 7, 2000	Plaintiff territorial resident and plaintiff--intervenor territorial governor moved for summary judgment and defendant federal, state, and local officials moved to dismiss the complaint that alleged that the Voting Rights Amendments of 1970, the Uniform Overseas Citizens Absentee Voting Act, and New York election law were unconstitutional since they denied plaintiff's right to receive an absentee	Plaintiff argued that the laws denied him the right to receive a state absentee ballot in violation of the right to vote, the right to travel, the Privileges and Immunities Clause, and the Equal Protection Clause. Plaintiff--intervenor territorial governor intervened on behalf of similarly situated Puerto Rican residents. Defendants' argued that: 1) plaintiff lacked standing; 2) a non--justiciable political question was raised; and 3) the laws were constitutional. The court held that: 1) plaintiff had standing because he made a substantial showing that application for the benefit was futile; 2) whether or not the statutes violated plaintiff's rights presented a legal, not political, question, and there was no lack of judicially discoverable and manageable standards for resolving the matter; and 3) the laws were constitutional and only a constitutional amendment or	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if Note)	Other Notes	Should the Case be Researched Further
				ballot for the upcoming presidential election.	grant of statehood would enable plaintiff to vote in a presidential election. The court granted defendants' motion to dismiss because the laws that prohibited territorial residents from voting by state absentee ballot in presidential elections were constitutional.			
Romeu v. Cohen	United States Court of Appeals for the Second Circuit	265 F.3d 118; 2001 U.S. App. LEXIS 19876	September 6, 2001	Plaintiff territorial resident sued defendants, state and federal officials, alleging that the Uniformed and Overseas Citizens Absentee Voting Act unconstitutionally prevented the territorial resident from voting in his former state of residence. The resident appealed the judgment of the United States District Court for the Southern District of New York, which dismissed the	The territorial resident contended that the UOCAVA unconstitutionally distinguished between former state residents residing outside the United States, who were permitted to vote in their former states, and former state residents residing in a territory, who were not permitted to vote in their former states. The court of appeals first held that the UOCAVA did not violate the territorial resident's right to equal protection in view of the valid and not insubstantial considerations for the distinction. The territorial resident chose to reside in the territory and had the same voting rights as other territorial residents, even though such residency precluded voting for federal offices. Further, the resident had no constitutional right to vote in his former state after he terminated his	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				complaint.	residency in such state, and the consequences of the choice of residency did not constitute an unconstitutional interference with the right to travel. Finally, there was no denial of the privileges and immunities of state citizenship, since the territorial resident was treated identically to other territorial residents. The judgment dismissing the territorial resident's complaint was affirmed.			
Igartua de la Rosa v. United States	United States District Court for the District of Puerto Rico	107 F. Supp. 2d 140; 2000 U.S. Dist. LEXIS 11146	July 19, 2000	Defendant United States moved to dismiss plaintiffs' action seeking a declaratory judgment allowing them to vote, as U.S. citizens residing in Puerto Rico, in the upcoming and all subsequent Presidential elections. Plaintiffs urged, among other claims, that their right to vote in Presidential elections was	The court denied the motion of defendant United States to dismiss the action of plaintiffs, two groups of Puerto Ricans, seeking a declaratory judgment allowing them to vote in Presidential elections. One group always resided in Puerto Rico and the other became ineligible to vote in Presidential elections upon taking up residence in Puerto Rico. Plaintiffs contended that the Constitution and the International Covenant on Civil and Political Rights, guaranteed their right to vote in Presidential elections and that the Uniformed and Overseas Citizens Absentee Voting Act, was unconstitutional in disallowing Puerto Rican citizens to vote by considering	No	N/A	No

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				guaranteed by the Constitution and the International Covenant on Civil and Political Rights.	them to be within the United States. The court concluded that UOCAVA was constitutional under the rational basis test, and violation of the treaty did not give rise to privately enforceable rights. Nevertheless, the Constitution provided U.S. citizens residing in Puerto Rico the right to participate in Presidential elections. No constitutional amendment was needed. The present political status of Puerto Rico was abhorrent to the Bill of Rights. The court denied defendant United States' motion to dismiss plaintiffs' action seeking a declaratory judgment allowing them to vote in Presidential elections as citizens of the United States and of Puerto Rico. The court held that the United States Constitution itself provided plaintiffs with the right to participate in Presidential elections.			
James v. Bartlett	Supreme Court of North Carolina	359 N.C. 260; 607 S.E.2d 638; 2005 N.C. LEXIS	February 4, 2005	Appellant candidates challenged elections in the superior court through appeals of election protests before the North Carolina State Board	The case involved three separate election challenges. The central issue was whether a provisional ballot cast on election day at a precinct other than the voter's correct precinct of residence could be lawfully counted in final election tallies. The superior court held	No	N/A	No

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		146		of Elections and a declaratory judgment action in the superior court. The court entered an order granting summary judgment in favor of appellees, the Board, the Board's executive director, the Board's members, and the North Carolina Attorney General. The candidates appealed.	that it could be counted. On appeal, the supreme court determined that state law did not permit out--of--precinct provisional ballots to be counted in state and local elections. The candidates failure to challenge the counting of out--of--precinct provisional ballots before the election did not render their action untimely. Reversed and remanded.			
Sandusky County Democratic Party v. Blackwell	United States Court of Appeals for the Sixth Circuit	387 F.3d 565; 2004 U.S. App. LEXIS 22320	October 26, 2004	Defendant state appealed from an order of the U.S. District Court for the Northern District of Ohio which held that the Help America Vote Act required that voters be permitted to cast provisional ballots upon affirming their registration to vote	The district court found that HAVA created an individual right to cast a provisional ballot, that this right is individually enforceable under 42 U.S.C.S. § 1983, and that plaintiffs unions and political parties had standing to bring a § 1983 action on behalf of Ohio voters. The court of appeals agreed that the political parties and unions had associational standing to challenge the state's provisional voting directive. Further, the court determined that HAVA was	No	N/A	No

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				in the county in which they desire to vote and that provisional ballots must be counted as valid ballots when cast in the correct county.	quintessentially about being able to cast a provisional ballot but that the voter casts a provisional ballot at the peril of not being eligible to vote under state law; if the voter is not eligible, the vote will then not be counted. Accordingly, the court of appeals reversed the district court and held that "provisional" ballots cast in a precinct where a voter does not reside and which would be invalid under state law, are not required by the HAVA to be considered legal votes. Affirmed in part and reversed in part.			
State ex rel. Mackey v. Blackwell	Supreme Court of Ohio	106 Ohio St. 3d 261; 2005 Ohio 4789; 834 N.E.2d 346; 2005 Ohio LEXIS 2074	September 28, 2005	Appellants, a political group and county electors who voted by provisional ballot, sought review of a judgment from the court of appeals which dismissed appellants' complaint, seeking a writ of mandamus to prevent appellees, the Ohio Secretary of State, a county board of elections,	The Secretary of State issued a directive to all Ohio county boards of elections, which specified that a signed affirmation statement was necessary for the counting of a provisional ballot in a presidential election. During the election, over 24,400 provisional ballots were cast in one county. The electors' provisional ballots were not counted. They, together with a political activist group, brought the mandamus action to compel appellants to prohibit the invalidation of provisional ballots and to notify voters of reasons for ballot rejections. Assorted	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				and the board's director, from disenfranchisement of provisional ballot voters.	constitutional and statutory law was relied on in support of the complaint. The trial court dismissed the complaint, finding that no clear legal right was established under Ohio law and the federal claims could be adequately raised in an action under 42 U.S.C.S. § 1983. On appeal, the Ohio Supreme Court held that dismissal was proper, as the complaint actually sought declaratory and injunctive relief, rather than mandamus relief. Further, election--contest actions were the exclusive remedy to challenge election results. An adequate remedy existed under § 1983 to raise the federal--law claims. Affirmed.			
Fla. Democratic Party v. Hood	United States District Court for the Northern District of Florida	342 F. Supp. 2d 1073; 2004 U.S. Dist. LEXIS 21720	October 21, 2004	Plaintiff political party sought injunctive relief under the Help America Vote Act, claiming that the election system put in place by defendant election officials violated HAVA because it did not allow	The political party asserted that a prospective voter in a federal election had the right to cast a provisional ballot at a given polling place, even if the local officials asserted that the voter was at the wrong polling place; second, that voter had the right to have that vote counted in the election, if the voter otherwise met all requirements of state law. The court noted that the right to vote was clearly protectable as a civil right, and a primary purpose of	No	N/A	No

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				provisional voting other than in the voter's assigned precinct. The officials moved for judgment on the pleadings.	the HAVA was to preserve the votes of persons who had incorrectly been removed from the voting rolls, and thus would not be listed as voters at what would otherwise have been the correct polling place. The irreparable injury to a voter was easily sufficient to outweigh any harm to the officials. Therefore, the court granted relief as to the first claim, allowing the unlisted voter to cast a provisional ballot, but denied relief as to the second claim, that the ballot at the wrong place must be counted if it was cast at the wrong place, because that result contradicted State law. The provisional ballot could only be counted if it was cast in the proper precinct under State law.			
League of Women Voters v. Blackwell	United States District Court for the Northern District of Ohio	340 F. Supp. 2d 823; 2004 U.S. Dist. LEXIS 20926	October 20, 2004	Plaintiff organizations filed suit against defendant, Ohio's Secretary of State, claiming that a directive issued by the Secretary contravened the provisions of the Help America Vote	The directive in question instructed election officials to issue provisional ballots to first--time voters who registered by mail but did not provide documentary identification at the polling place on election day. When submitting a provisional ballot, a first--time voter could identify himself by providing his driver's license number or the last four digits of his social security number. If he did not know	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further
				Act. The Secretary filed a motion to dismiss.	either number, he could provide it before the polls closed. If he did not do so, his provisional ballot would not be counted. The court held that the directive did not contravene the HAVA and otherwise established reasonable requirements for confirming the identity of first--time voters who registered to vote by mail because: (1) the identification procedures were an important bulwark against voter misconduct and fraud; (2) the burden imposed on first--time voters to confirm their identity, and thus show that they were voting legitimately, was slight; and (3) the number of voters unable to meet the burden of proving their identity was likely to be very small. Thus, the balance of interests favored the directive, even if the cost, in terms of uncounted ballots, was regrettable.			
Sandusky County Democratic Party v. Blackwell	United States Court of Appeals for the Sixth Circuit	386 F.3d 815; 2004 U.S. App. LEXIS 28765	October 23, 2004	Defendant Ohio Secretary of State challenged an order of the United States District Court for the Northern District of Ohio, which held	On appeal, the court held that the district court correctly ruled that the right to cast a provisional ballot in federal elections was enforceable under 42 U.S.C.S. § 1983 and that at least one plaintiff had standing to enforce that right in the district court.	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				that Ohio Secretary of State Directive 2004--33 violated the federal Help America Vote Act. In its order, the district court directed the Secretary to issue a revised directive that conformed to HAVA's requirements.	The court also held that Ohio Secretary of State Directive 2004--33 violated HAVA to the extent that it failed to ensure that any individual affirming that he or she was a registered voter in the jurisdiction in which he or she desired to vote and eligible to vote in a federal election was permitted to cast a provisional ballot. However, the district court erred in holding that HAVA required that a voter's provisional ballot be counted as a valid ballot if it was cast anywhere in the county in which the voter resided, even if it was cast outside the precinct in which the voter resided.			
Hawkins v. Blunt	United States District Court for the Western District of Missouri	2004 U.S. Dist. LEXIS 21512	October 12, 2004	In an action filed by plaintiffs, voters and a state political party, contending that the provisional voting requirements of Mo. Rev. Stat. § 115.430 conflicted with and was preempted by the Help America Vote Act, plaintiffs and defendants, the	The court held that the text of the HAVA, as well as its legislative history, proved that it could be read to include reasonable accommodations of state precinct voting practices in implementing provisional voting requirements. The court further held that Mo. Rev. Stat. § 115.430.2 was reasonable; to effectuate the HAVA's intent and to protect that interest, it could not be unreasonable to direct a voter to his correct voting place where a full ballot was likely to be cast. The	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				secretary of state and others, moved for summary judgment.	court also held that plaintiffs' equal protection rights were not violated by the requirement that before a voter would be allowed to cast a provisional ballot, the voter would first be directed to his proper polling place.			
Bay County Democratic Party v. Land	United States District Court for the Eastern District of Michigan	340 F. Supp. 2d 802; 2004 U.S. Dist. LEXIS 20551	October 13, 2004	Plaintiffs, state and county Democratic parties, filed an action against defendant, Michigan secretary of state and the Michigan director of elections, alleging that the state's intended procedure for casting and counting provisional ballots at the upcoming general election would violate the Help America Vote Act and state laws implementing the federal legislation. Defendants filed a motion to transfer venue.	The parties claimed that if the secretary's proposed procedure was allowed to occur, several voters who were members of the parties' respective organizations were likely to be disenfranchised. Defendants moved to transfer venue of the action to the Western District of Michigan claiming that the only proper venue for an action against a state official is the district that encompasses the state's seat of government. Alternatively, defendants sought transfer for the convenience of the parties and witnesses. The court found that defendants' arguments were not supported by the plain language of the current venue statutes. Federal actions against the Michigan secretary of state over rules and practices governing federal elections traditionally were brought in both the Eastern and Western Districts of Michigan. There was no rule that	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
					required such actions to be brought only in the district in which the state's seat of government was located, and no inconvenience resulting from litigating in the state's more populous district reasonably could be claimed by a state official who had a mandate to administer elections throughout the state and operated an office in each of its counties. Motion denied.			
Bay County Democratic Party v. Land	United States District Court for the Eastern District of Michigan	347 F. Supp. 2d 404; 2004 U.S. Dist. LEXIS 20872	October 19, 2004	Plaintiffs, voter organizations and political parties, filed actions against defendants, the Michigan Secretary of State and her director of elections, challenging directives issued to local election officials concerning the casting and tabulation of provisional ballots. Plaintiffs sought a preliminary injunction and contended that the	The court concluded that (1) plaintiffs had standing to assert their claims; (2) HAVA created individual rights enforceable through 42 U.S.C.S. § 1983; (3) Congress had provided a scheme under HAVA in which a voter's right to have a provisional ballot for federal offices tabulated was determined by state law governing eligibility, and defendants' directives for determining eligibility on the basis of precinct--based residency were inconsistent with state and federal election law; (4) Michigan election law defined voter qualifications in terms of the voter's home jurisdiction, and a person who cast a provisional ballot within his or her jurisdiction was entitled under federal law to have his	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if of Note)	Other Notes	Should the Case be Researched Further
				directives violated their rights under the Help America Vote Act.	or her votes for federal offices counted if eligibility to vote in that election could be verified; and (5) defendants' directives concerning proof of identity of first--time voters who registered by mail were consistent with federal and state law.			
Weber v. Shelley	United States Court of Appeals for the Ninth Circuit	347 F.3d 1101; 2003 U.S. App. LEXIS 21979	October 28, 2003	Plaintiff voter brought an suit against defendants, the secretary of state and the county registrar of voters, claiming that the lack of a voter--verified paper trail in the county's newly installed touchscreen voting system violated her rights to equal protection and due process. The United States District Court for the Central District of California granted the secretary and the registrar summary judgment.	On review, the voter contended that use of paperless touch--screen voting systems was unconstitutional and that the trial court erred by ruling her expert testimony inadmissible. The trial court focused on whether the experts' declarations raised genuine issues of material fact about the relative accuracy of the voting systemat issue and excluded references to news--paper articles and unidentified studies absent any indication that experts normally relied upon them. The appellate court found that the trial court's exclusions were not an abuse of discretion and agreed that the admissible opinions which were left did not tend to show that voters had a lesser chance of having their votes counted. It further found that the use of touchscreen voting systems was not subject to strict	No	N/A	No

Name of Case	Court	Citation	Date	Facts	Holding	Statutory Basis (if any)	Other Notes	Should the Case be Researched Further?
				The voter appealed.	scrutiny simply because this particular balloting system might make the possibility of some kinds of fraud more difficult to detect. California made a reasonable, politically neutral and non--discriminatory choice to certify touchscreen systems as an alternative to paper ballots, as did the county in deciding to use such a system. Nothing in the Constitution forbid this choice. The judgment was affirmed.			
Am. Ass'n of People with Disabilities v. Shelley	United States District Court for the Central District of California	324 F. Supp. 2d 1120; 2004 U.S. Dist. LEXIS 12587	July 6, 2004	Plaintiffs, disabled voters and organizations representing those voters, sought to enjoin the directives of defendant California Secretary of State, which decertified and withdrew approval of the use of certain direct recording electronic (DRE) voting systems. One voter applied for a temporary restraining order, or,	The voters urged the invalidation of the Secretary's directives because, allegedly, their effect was to deprive the voters of the opportunity to vote using touch--screen technology. Although it was not disputed that some disabled persons would be unable to vote independently and in private without the use of DREs, it was clear that they would not be deprived of their fundamental right to vote. The Americans with Disabilities Act, did not require accommodation that would enable disabled persons to vote in a manner that was comparable in every way with the voting rights enjoyed by persons without disabilities. Rather, it mandated that voting programs be	No	N/A	No

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				in the alternative, a preliminary injunction. of a preliminary injunction in a number of ways, including a four--part test that considers (1) likelihood of success on the merits; (2) the possibility of irreparable injury in the absence of an injunction; (3) a balancing of the harms; and (4) the public interest.	made accessible. Defendant's decision to suspend the use of DREs pending improvement in their reliability and security of the devices was a rational one, designed to protect the voting rights of the state's citizens. The evidence did not support the conclusion that the elimination of the DREs would have a discriminatory effect on the visually or manually impaired. Thus, the voters showed little likelihood of success on the merits. The individual's request for a temporary restraining order, or, in the alternative, a preliminary injunction, was denied. Ninth Circuit's tests for a preliminary injunction, although phrased differently, require a court to inquire into whether there exists a likelihood of success on the merits, and the possibility of irreparable injury; a court is also required to balance the hardships.			
Fla. Democratic Party v. Hood	Court of Appeal of Florida, First District	884 So. 2d 1148; 2004 Fla. App. LEXIS 16077	October 28, 2004	Petitioner, the Florida Democratic Party, sought review of an emergency rule adopted by the Florida Department	The Party argued that: (1) the Florida Administrative Code, recast language from the earlier invalidated rule prohibiting a manual recount of overvotes and undervotes cast on a touchscreen machine; (2) the rule did	No	N/A	No

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				of State, contending that the findings of immediate danger, necessity, and procedural fairness on which the rule was based were insufficient under Florida law, which required a showing of such circumstances, and Florida case law. This matter followed.	not call for the manual recount of votes to determine voter intent; and (3) the rule created voters who were entitled to manual recounts in close elections and those who were not. The appeals court disagreed. The Department was clearly concerned with the fact that if no rule were in place, the same confusion and inconsistency in divining a voter's intent that attended the 2000 presidential election in Florida, and the same constitutional problems the United States Supreme Court addressed then, might recur in 2004. It was not the court's responsibility to decide the validity of the rule or whether other means were more appropriate. But, the following question was certified to the Supreme Court: Whether under Fla. Stat. ch. 120.54(4), the Department of State set forth sufficient justification for an emergency rule establishing standards for conducting manual recounts of overvotes and undervotes as applied to touchscreen voting systems? The petition was denied, but a question was certified to the supreme court as a matter of great public importance.			

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Wexler v. Lepore	United States District Court for the Southern District of Florida	342 F. Supp. 2d 1097; 2004 U.S. Dist. LEXIS 21344	October 25, 2004	Plaintiffs, a congressman, state commissioners, and a registered voter, brought a § 1983 action against defendants, state officials, alleging that the manual recount procedures for the state's touchscreen paperless voting systems violated their rights under U.S. Const. amends. V and XIV. A bench trial ensued.	The officials claimed that the state had established an updated standard for manual recounts in counties using optical scan systems and touchscreen voting systems, therefore, alleviating equal protection concerns. The court held that the rules prescribing what constituted a clear indication on the ballot that the voter had made a definite choice, as well the rules prescribing additional recount procedures for each certified voting system promulgated pursuant to Florida law complied with equal protection requirements under U.S. Const. amends. V and XIV because the rules prescribed uniform, nondifferential standards for what constituted a legal vote under each certified voting system, as well as procedures for conducting a manual recount of overvotes and undervotes in the entire geographic jurisdiction. The court further held that the ballot images printed during a manual recount pursuant to Florida Administrative Code did not violate Florida law because the manual recount scheme properly reflected a voter's choice. Judgment was entered	No	N/A	No

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					for the officials. The claims of the congressman, commissioners, and voter were denied.			
Spencer v. Blackwell	United States District Court for the Southern District of Ohio	347 F. Supp. 2d 528; 2004 U.S. Dist. LEXIS 22062	November 1, 2004	Plaintiff voters filed a motion for temporary restraining order and preliminary injunction seeking to restrain defendant election officials and intervenor State of Ohio from discriminating against black voters in Hamilton County on the basis of race. If necessary, they sought to restrain challengers from being allowed at the polls.	The voters alleged that defendants had combined to implement a voter challenge system at the polls that discriminated against African--American voters. Each precinct was run by its election judges but Ohio law also allowed challengers to be physically present in the polling places in order to challenge voters' eligibility to vote. The court held that the injury asserted, that allowing challengers to challenge voters' eligibility would place an undue burden on voters and impede their right to vote, was not speculative and could be redressed by removing the challengers. The court held that in the absence of any statutory guidance whatsoever governing the procedures and limitations for challenging voters by challengers, and the questionable enforceability of the State's and County's policies regarding good faith challenges and ejection of disruptive challengers from the polls, there existed an enormous risk of chaos,	No	N/A	No

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					delay, intimidation, and pandemonium inside the polls and in the lines out the door. Furthermore, the law allowing private challengers was not narrowly tailored to serve Ohio's compelling interest in preventing voter fraud. The court enjoined all defendants from allowing any challengers other than election judges and other electors into the polling places throughout the state on Election Day.			
MARIAN SPENCER, et al., Petitioners v. CLARA PUGH, et al. (No. 04A360) SUMMIT COUNTY DEMOCRATIC CENTRAL and EXECUTIVE COMMITTEE, et al., Petitioners v. MATTHEW HEIDER, et al. (No. 04A364)	United States Supreme Court	125 S. Ct. 305; 160 L. Ed. 2d 213; 2004 U.S. LEXIS 7400	November 2, 2004	In two separate actions, plaintiffs sued defendant members of a political party, alleging that the members planned to mount indiscriminate challenges in polling places which would disrupt voting. Plaintiffs applied to vacate orders entered by the United States Court of Appeals for the Sixth Circuit which	Plaintiffs contended that the members planned to send numerous challengers to polling places in predominantly African--American neighborhoods to challenge votes in an imminent national election, which would allegedly cause voter intimidation and inordinate delays in voting. A district court ordered challengers to stay out of polling places, and another district court ordered challengers to remain in the polling places only as witnesses, but the appellate court stayed the orders. The United States Supreme Court, acting through a single Circuit Justice, declined to reinstate the injunctions for prudential reasons, despite the few hours left until the	No	N/A	No

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				entered emergency stays of injunctions restricting the members' activities.	upcoming election. While the allegations of abuse were serious, it was not possible to determine with any certainty the ultimate validity of the plaintiffs' claims or for the full Supreme Court to review the relevant submissions, and voting officials would be available to enable proper voting by qualified voters.			
Charles H. Wesley Educ. Found., Inc. v. Cox	United States District Court for the Northern District of Georgia	324 F. Supp. 2d 1358; 2004 U.S. Dist. LEXIS 12120	July 1, 2004	Plaintiffs, a voter, fraternity members, and an organization, sought an injunction ordering defendant, the Georgia Secretary of State, to process the voter registration application forms that they mailed in following a voter registration drive. They contended that by refusing to process the forms defendants violated the National Voter Registration Act and U.S. Const. amends.	The organization participated in numerous non--partisan voter registration drives primarily designed to increase the voting strength of African--Americans. Following one such drive, the fraternity members mailed in over 60 registration forms, including one for the voter who had moved within state since the last election. The Georgia Secretary of State's office refused to process them because they were not mailed individually and neither a registrar, deputy registrar, or an otherwise authorized person had collected the applications as required under state law. The court held that plaintiffs had standing to bring the action. The court held that because the applications were received in accordance with the	No	N/A	No